

Next Ord: 1567-07

Next Res: 734-07

MISSION STATEMENT

The mission of the Sedro-Woolley City government is to provide selected services that are not traditionally offered by the private sector. This will be achieved through providing the highest quality services we can within the resources with which we're provided; involving residents in all aspects of planning and operations; serving as a clearinghouse for public information; and operating facilities which meet the legitimate, identified concerns of the residents of and visitors to our community.

We believe in being community-centered, consistently contributing to the quality of life in our area and as fully deserving of the public's trust through the consistent expression of positive values and acceptance of accountability for producing meaningful results.

CITY COUNCIL WORKSESSION

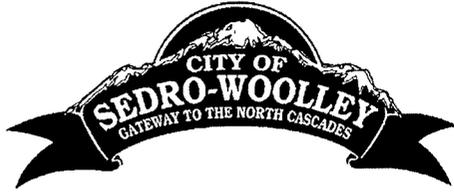
AGENDA

February 6, 2007

7:00 PM

Sedro-Woolley Community Center
703 Pacific Street

- A. Truck Vault Access to Polte Road Project
(Citizen comments with possible decision.)
(Staff contact - Eron Berg)
- B. Council Calendar
(Planning for the next five meetings and work sessions, expiring interim ordinances and pending issues not assigned to a specific meeting.)
(Staff contact - Patsy Nelson)
- C. Vintage Code (if time permits)
(Staff recommendations for vintage code updates.)
(Staff contact - Eron Berg)
- D. Jones Estates (if time permits)
(The Engineering & Planning Departments are bringing this proposed long plat (subdivision) to the council to get a sense of the council's receptiveness to a project that will require significant deviations from the standard engineering requirements. Staff wants to be sure the council will consider the deviations before the applicant invests too much time and money into this proposal.)
(Staff contact - Rick Blair)
- E. Executive Session



CITY OF SEDRO-WOOLLEY
Sedro-Woolley Municipal Building
720 Murdock Street
Sedro-Woolley, WA 98284
Phone (360) 855-1661
Fax (360) 855-0707

Eron M. Berg
City Attorney

MEMO TO: City Council
FROM: Staff
RE: Polte Road
DATE: February 6, 2007

AGENDA: This item is on your worksession agenda at the request of the Council following a discussion at the January 24, 2007 meeting.

ISSUE: City Staff need direction about what to do with the Polte Road project as it is presently suspended pending Council action.

BACKGROUND: The Council discussed this project at its January 24, 2007 meeting and at that time listened to the concerns of residents regarding this project and specifically directed staff to stop any further work on the Polte Road access to Truck Vault. That project has been stopped by placing the contractor on stand-by (that action will result in additional mobilization costs at such time as the City decides to proceed).

Enclosed in this packet are the following documents which appear to me to comprise the public record on this project (not including the design documents):

Page 4.: Letter to Polte neighbors from Mayor Pro Tem Meamber dated 2-1-2007;
Page 5-6: Letter to Rick Blair from Jim Hobbs dated 1-31-2007;
Page 7-8: Letter to Mayor Anderson from Al Chandler dated 1-29-2007;
Page 9: Letter to Skagit Co. Commissioners from Mayor Anderson dated 1-25-2007;
Page 10: Council memo dated 1-24-2007;
Page 11: Letter from Mayor Anderson to Polte neighbors dated 1-19-2007;
Page 12-13: Proposed change order estimate to RAM dated 12-26-2006;
Page 14-15: Council agenda and staff memo for the 8-24-2005 meeting;
Page 16: Letter from Gary Rowe to Mayor Dillon dated 8-2-2005;
Page 17: Minutes of City Council meeting dated 8-24-2005;
Page 18-19: Minutes of County Commissioners' meeting dated 7-26-05;
Page 20-25: Interlocal agreement between City and County for use of funds;
Page 26-30: Application for funding dated 6-13-2005;

Also at that meeting, the Council asked for the following information to be prepared and available for this worksession (questions are in bold and responses follow each question):

1. Cost estimate to rebuild/resurface/widen Polte Road;

\$1,290,000.00 in accordance with the section on page two of the 1-31-2007 letter from Jim Hobbs. This price does not include acquisition, PSE relocation & realignment of Northern Avenue.

2. Skagit County assistance in that project;

Attached on page 9 is a letter addressed to the Commissioners posing this question. Chairwoman Dillon indicated that the County has not budgeted any money for this project in its current budget.

3. Cost estimate to remove the Truck Vault access point;

\$15,000.00.

4. Costs spent to date on the Truck Vault access point;

\$17,000.00.

5. Cost to complete the Truck Vault access point as currently planned;

\$27,000.00.

6. Cost to complete the Polte/Township intersection and Polte improvement as currently planned (widen and resurface 400 feet of Polte from Truck Vault to Township and revise the intersection of Polte and Township);

\$200,000.00 – Does not include the cost to realign Northern to Polte at Township.

7. If Polte Road is rebuilt, what are the standards to which it would be built (width, curb, gutters, sidewalks, etc);

Polte Road is currently built within a 30 foot right of way and its paved width is approximately 20 feet. City standards would require Polte to be within a 60 foot right of way and have a paved width of 36 feet and an additional 10 feet for sidewalks. However, because the right of way is limited, the best improvement option is identified on the section located at page 6 and includes a paved width of 28 feet and no sidewalks.

8. How much money has Truck Vault invested in the new access point; and

See attached letter from Al Chandler dated January 29, 2007 (pages 7 & 8). In that letter he indicates that the costs related to this planned access point include: extension of a lease for a period of 10 years, and \$70,000.00 for paving and other site improvements including the purchase of new equipment. Additionally, Mr. Chandler proposed a resolution to the current situation wherein he would agree to install his fencing and gate

and would agree to lock the gate and not use it until the Polte/Township intersection improvements are made (the only exception would be if/when road construction necessitated the use of the Polte Road access point).

9. Zoning: what type of “buffers” or separation is required between mixed commercial and residential zones.

Other than the minimum required setbacks from the property lines, the city has no requirements for “buffers” between adjacent properties of different zoning designations. The only thing that is similar to a buffer is the requirement for screening when developing certain projects in the Industrial Zone.

The specific intent of the Mixed Commercial Zone where Truck Vault is located is to encourage mixed commercial and residential development. SWMC 17.20.005 states, “The intent of this zone is to encourage a compatible mix of commercial and residential development”.

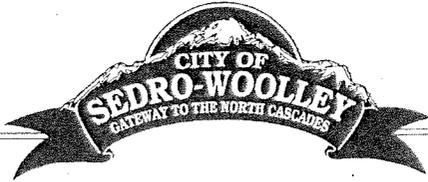
There is one portion of the above noted ordinance that states, “Commercial development should be scaled down when adjacent to residential areas to improve compatibility between uses”. Unfortunately, the code does not further explain or establish any minimum thresholds or criteria, so this broad language is not very useful for review or enforcement purposes.

10. Burlington Northern Santa Fe: concerns regarding the Polte/Township intersection?

BNSF has been contacted; no response was available in time for inclusion in this memo.

RECOMMENDATION: Possible motions include:

1. Motion to proceed with the project as planned.
2. Motion to proceed with the project as planned subject to an agreement with Truck Vault that Truck Vault will not use the new access point until the intersection of Polte and Township is completed (except in limited circumstances with the approval of the City).
2. Motion to stop the project and direct staff to prepare the necessary plans and specifications to contract with a contractor to return the access point to its original condition. (Note: this motion will necessitate a future budget amendment to address the lost revenue of \$152,000.00 and the unanticipated spending).
3. Motion to proceed with the project as planned but place appropriate barricades across the access point until such time as the Polte/Township intersection phase of the project is complete.



Ted Meamber
Mayor Pro Tempore

February 1, 2007

RE: Truck Vault access to Polte Road project

Dear Polte resident:

I am writing to follow up on the discussion had at the City Council meeting on January 24, 2007. At that time we heard from a substantial number of Polte area citizens regarding their concerns about the process leading up to and the actual project that includes the Truck Vault access to Polte Road and the Polte/Township intersection improvements.

At that meeting, the Council took the following actions: (1) Directed staff to stop work on the project pending further consideration by the Council, (2) Asked staff to prepare responses to a number of questions and (3) Scheduled further discussion to occur on February 6, 2007. I have asked that this letter and the attached packet of information be hand-delivered to Polte road residents because I want to be sure that you have all of the information the Council will have, in advance of the Council meeting (this information is also available at www.ci.sedro-woolley.wa.us).

Our meeting is scheduled for February 6, 2007 at 7:00 P.M. and is located at the Sedro-Woolley Community Center (703 Pacific Street). At that meeting, I expect the Council to make a decision about what to do with the project at this point. Citizens are invited to attend and will be given an opportunity to comment to the Council on the options presented.

I appreciate your involvement in this process and along with Mayor Anderson, wish to extend my apologies that this process did not include a public workshop with the neighbors to discuss options in 2005.

Sincerely,

CITY OF SEDRO-WOOLLEY

Ted Meamber, Mayor Pro Tem

REICHHARDT & EBE ENGINEERING, INC.
CONSULTING ENGINEERS

813 Metcalf Street | Sedro-Woolley, WA 98284 | Telephone 360-855-1713 | Fax: 360-855-1164

January 31, 2007

Rick Blair, Director of Public Works
City of Sedro-Woolley
720 Murdock Street
Sedro-Woolley, WA 98284

Subject: Truck Vault information request

Dear Mr. Blair,

Per your request I have reviewed the Polte Truck Vault entrance. The following is a summary of the approximate costs of the construction alternatives as outlined in your Jan. 26th e-mail:

1. Reconstruction of Polte from Township to SR 20 (3,600 LF+/-) per enclosed detail - \$1,290,000
 - a. This price does not include purchasing the approximately 56,000 S.F. of right-of-way required.
 - b. This price does not include relocation of PSE poles at Township Street.
 - c. This price does not include realignment of Northern Avenue.

- 1a. Reconstruction of Polte from Township to the easterly limits of the Truck Vault entrance (500 LF+/-) per the attached detail - \$200,000
 - a. This price does not include purchasing the approximately 7,000 S.F. of right-of-way required.
 - b. This price does not include relocation of PSE poles at Township Street.
 - c. This price does not include realignment of Northern Avenue.

3. Cost to remove Truck Vault access - \$15,000
 - a. This price is essentially to cover the existing improvements with top soil and seed, along with reconstructing the trail and gravel berm. The culvert would be abandoned in-place by capping the ends.

4. Cost of construction of Truck Vault access for improvements to-date - \$17,000

- 4a. Cost of construction to finish Truck Vault access per plans - \$27,000

Please contact me if you have any questions or require additional information regarding this matter.

Respectfully,



James L. Hobbs, Jr. PE
Reichhardt & Ebe

Encl.

Eron Berg

From: Eron M. Berg, Esq. [emb@cascadelaw.com]
Sent: Monday, January 29, 2007 8:23 PM
To: Eron Berg
Subject: Fw: Polte access response

----- Original Message -----

From: Al Chandler
To: Eron Berg ; Rick Blair
Sent: Monday, January 29, 2007 2:17 PM
Subject: Polte access response

Gents, Hard copy is in today's mail to Mayor Anderson.

January 29, 2007
Polte Road Issue – February 6 work session

Mike Anderson
Mayor
Sedro Woolley
City Hall
Sedro Woolley, WA 98284

Mayor Anderson and Council Members,

I would like to propose the following as a solution to the Polte Road Access dilemma, perhaps a solution which will find favor with most parties.

Considering the grant was given to improve the Polte / Township intersection and to provide access to TruckVault might I suggest the access be completed under the current contract? Once this access is paved and finished TruckVault would proceed with plans to fence and gate this area. The gate would then be locked and remain locked until such time as the intersection and Polte Road upgrade would be completed. The only exception to this would be if work on Township Street would make access to TruckVault not possible, then and only then would the Polte Access be made available until the full scope of the project is complete.

During the January 24 City Council Meeting it appeared to me that efforts were put forth to vilify someone in this matter. There is no villain in this issue. Prior to site improvements TruckVault paid for a professional study to determine to what extent we could expand our business from this location. This

study suggested we could increase business substantially by taking several steps, some from equipment purchases and some from site improvement and access enhancement. I first spoke with our landlord for permission to proceed. When this was granted I then contacted County Commissioner Ted Anderson as the property in question is under jurisdiction of Skagit County. Commissioner Anderson arranged a meeting with Mayor Dillon who in turn applied for the grant. If pressure were applied by anyone I would suggest it came from me. I indeed called, or e-mailed Rick Blair numerous times to check on progress. Rick simply was doing his job as directed.

A request was made of TruckVault to provide expenses that may be associated with this project. Based on the aforementioned 2005 study TruckVault took several steps which in my appraisal are all part and parcel to the Polte Road question. In late 2005 TruckVault agreed to a new 10 year property lease which included paying for \$70,000.00 in paving and additionally the purchase of new manufacturing equipment. Most importantly a decision was made to continue TruckVault operations in Sedro Woolley. It has been a good decision as our business continues to grow and flourish supporting not only our own payroll but many businesses in Sedro Woolley and Skagit County. Fencing expenses which were questioned are miniscule in the complexity of the overall decision to stay in Sedro Woolley.

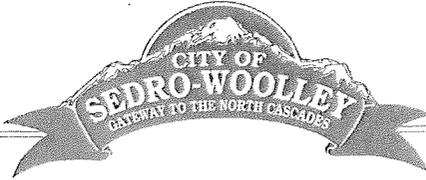
As we all know, it is difficult to make everyone happy. The solution proposed does several things including: allowing the project to continue addressing a serious Polte Township intersection issue. This also forestalls removing the work which has been completed and the return of grant monies. This existing work would eventually allow trucks easier access to TruckVault which will improve safety for pedestrian and vehicle passengers. This also keeps a considerable amount of grant money in place to be applied to the Polte / Township intersection.

Thank you for your consideration.

Al Chandler

CEO TruckVault

cc: Eron Berg
Rick Blair



Mike Anderson
Mayor

January 25, 2007

Sharon Dillon, Ken Dahlstedt, Don Munks
1800 Continental Place, Suite 100
Mount Vernon, WA 98273

RE: Polte Road

Dear Commissioners:

At last night's meeting of the City Council, significant discussion was held regarding a project in our City that was funded with Skagit County economic development (public infrastructure) money from the 2005 grant cycle. The project is a reconstruction of the intersection at Township and Polte and the addition of a driveway to provide a new access to Truck Vault.

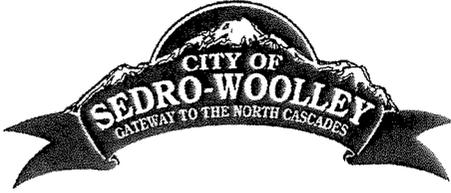
To date, the City has mostly built the new access point, but is now unable to fund the intersection improvements. In preparation for a worksession meeting on February 6th, I have been asked to find out if the County is able to upgrade Polte Road to standards that will accommodate the new truck traffic (30-40 trucks per week), and if there might be any additional dollars available to assist the City in completing the revisions to the Polte and Township intersection. It is my understanding that we are short approximately \$200,000.00.

If you are able to provide a response before the meeting on the 6th, that would be most appreciated.

Very truly yours,

CITY OF SEDRO-WOOLLEY


Mike Anderson, Mayor



CITY OF SEDRO-WOOLLEY
Sedro-Woolley Municipal Building
720 Murdock Street
Sedro-Woolley, WA 98284
Phone (360) 855-1661
Fax (360) 855-0707

Eron M. Berg
City Attorney

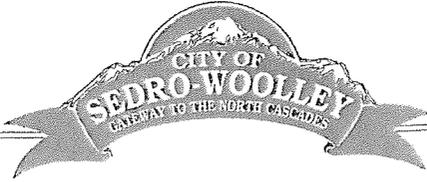
MEMO TO: City Council
RE: Polte Road issue
DATE: January 24, 2007

ISSUE: Following numerous citizen complaints and at the Mayor's request, this item is presented for your information.

BACKGROUND: At the request of a Skagit County Commissioner, the City requested \$152,000.00 in grant funds from Skagit County in an application dated June 13, 2005. The project included two elements: (1) New access to Polte Road for the Truck Vault business and (2) Improvements to the Polte/Township intersection.

The Skagit County Public Facilities Project Review Committee recommended approval of this grant on July 25, 2005. The Skagit County Commissioners authorized the grant in a resolution approved on August 1, 2005. The City Council accepted the funds in an interlocal agreement approved on your consent agenda on August 24, 2005. The project began on January 15, 2007. Citizen complaints followed immediately.

Attached is the information provided to you in your packet for the August 24, 2005 meeting, as well as a letter the Mayor had delivered to neighbors on Polte Street, and an estimate of the cost for the Truck Vault access portion of the project (\$46,790.00).



Mike Anderson
Mayor

January 19, 2007

RE: Truck Vault access to Polte Road project

Dear Polte resident:

I am writing to share with you the history related to this project, as well as my concerns regarding the project. First let me apologize on behalf of the City for not including you, the neighbors on Polte Street, in the decision-making process about constructing this new access from Polte to Truck Vault. I am the newly appointed Mayor of Sedro-Woolley and this is my third week on the job. Had I been the mayor when this decision was made, I would have required a public process to allow all interested citizens an opportunity to be heard before the Council approved the project.

Skagit County operates a small grant fund used to pay for facilities that support economic development within the county. Specifically, this fund is intended to pay for facilities that will allow for the creation of jobs. Past projects include money for the Port of Skagit County to purchase a new boat lift that allowed a Port tenant to construct a new line of 65 foot boats, money to build roads, intersections and bridges throughout the county, money to build fiber optic infrastructure, etc. Each project is evaluated on its merits and a small committee that includes a mayor, a county commissioner, a representative from the port, the county budget director and someone from EDASC. Final action on the awards is made by the Skagit County Commissioners.

My understanding is that the City of Sedro-Woolley made this request at the request of a Skagit County Commissioner. The request included money for the Truck Vault access as well as improvement to the Polte/Township intersection. The grant award was made by Skagit County on August 1, 2005. The City accepted the grant in an interlocal agreement at its regular Council meeting on August 24, 2005. I do not recall that any substantive conversation was had about this project at the Council table.

While this is of little help to you now, I want you to know that I am committed to involving the community and especially the neighbors in decisions regarding road construction. You should have had an opportunity to express your views on this project to the City Council before the project was built. At this point, the City is faced with two potential choices: (1) Take no further action; or (2) Put the horse back in the barn and undo the project. Option two would require the City to sustain, without the grant funds, the cost of the project (approximately \$47,000.00) as well as the cost to undo the project (amount unknown); neither of which are currently budgeted. Option two would also result in the loss of an additional \$100,000.00 for the Polte/Township intersection improvement.

I am available to discuss this matter in more detail with you. I am also willing to schedule a meeting with the City Council to discuss this project, if a group of neighbors would like such an opportunity. It is my intention to provide this letter and some additional background information for the Council's information at their regular meeting on January 24, 2007.

Very truly yours,

CITY OF SEDRO-WOOLLEY

Mike Anderson, Mayor

**CHANGE ORDER PROPOSAL #4
SCHEDULE B**

DATE December 26, 2006

PROJECT
CITY PROJECT NO
OWNER
CONTRACTOR

City of Sedro-Woolley Sterling St & Township St Sewer Improvements
City of Sedro-Woolley
Ram Construction

Description
See attached Sheets 1 of 1 for Truck vault Polte Road Access

The cost shown below shall be full compensation for the items as indicated in summary above and shall be considered full payment for all materials, labor and equipment for the work.

Item #	Description	Unit	Unit Price	Quantity	Amount	Balance
1	Flaggers and Spotter	Hour	45 ⁰⁰	250	11,250 ⁰⁰	
2	Other Traffic Control Labor	Hour	36 ⁰⁰	25	900 ⁰⁰	
3	Traffic Control	Lump Sum	1500 ⁰⁰	1	1500 ⁰⁰	
4	Clear and Grub	Lump Sum	1500 ⁰⁰	1	1500 ⁰⁰	
5	Sawcut ACP	Linear Foot-inch	1 ⁰⁰	640	640 ⁰⁰	
6	Road Excavation	Cubic yard	14 ⁰⁰	500	7,000 ⁰⁰	
7	Gravel Base	Ton	12.50	500	6,250 ⁰⁰	
8	Crushed Surfacing Top Course	Ton	25.00	100	2,500 ⁰⁰	
9	HMA C1B	Ton	75.00	110	8,250 ⁰⁰	
10	Inlet Protection	Each	100.00	1	100 ⁰⁰	
11	Seeded Lawn	Square yard	10 ⁰⁰	155	1,550 ⁰⁰	
12	Cement Cork etc Extruded Gurb	Linear Foot	10 ⁰⁰	110	1,100 ⁰⁰	
13	Permanent Signs	Lump Sum	750 ⁰⁰	1	750 ⁰⁰	
14	Plastic Stop Line 18 inch	Linear Foot	20 ⁰⁰	35	700 ⁰⁰	
15	Plastic Sawcut	Square Feet	10 ⁰⁰	150	1,500 ⁰⁰	
16	Boiard	Lack	200 ⁰⁰	4	800 ⁰⁰	
17	Repair Public and Private	Force Account		1		

Proposed Change Order Amount
8% Sales Tax
Original Contract Amount
Previous Change Orders
New Total contract Amount:

\$3,820,886.00
\$206,118.93

Additional Contract Days: 10 days

Approved By:

City of Sedro-Woolley
Rock Blair, Director of Public Works

Date

Project Engineer
Jim Hobbs

Date

RAM Construction
Barry Dikemari

Date 1/3/07

COP # 4 Sterling Street Schedule B

Bid Item	Description	Unit	Unit Price	QTY	Total Price
1	Flaggers & Spotters	HR	\$ 45.00	250	\$ 11,250.00
2	Other Traffic Control Labor	HR	\$ 45.00	20	\$ 900.00
3	Traffic Control	LS	\$ 1,500.00	1	\$ 1,500.00
4	Clearing & Grubbing	LS	\$ 1,500.00	1	\$ 1,500.00
5	Sawcut ACP	LF/IN	\$ 1.00	640	\$ 640.00
6	Road Excavation	CY	\$ 14.00	550	\$ 7,700.00
7	Gravel Base	TN	\$ 12.50	500	\$ 6,250.00
8	Crushed Surfacing Top Course	TN	\$ 25.00	100	\$ 2,500.00
9	HMA CL B	TN	\$ 75.00	110	\$ 8,250.00
10	Inlet Protection	EA	\$ 100.00	1	\$ 100.00
11	Seeded Lawn	SY	\$ 10.00	155	\$ 1,550.00
12	Cement Concrete Exmuded Curb	LF	\$ 10.00	110	\$ 1,100.00
13	Permanent Signs	LS	\$ 750.00	1	\$ 750.00
14	Plastic Stop Line, 18"	LF	\$ 20.00	35	\$ 700.00
15	Plastic Crosswalk	SF	\$ 10.00	130	\$ 1,300.00
16	Bollard	EA	\$ 200.00	4	\$ 800.00
17	Repair Public & Private Facilities	FA		1	\$
				TOTAL	\$ 46,790.00

Barry Dikeman
RAM Construction General Contractors, Inc.

MISSION STATEMENT

The mission of the Sedro-Woolley City government is to provide selected services that are not traditionally offered by the private sector. This will be achieved through providing the highest quality services we can within the resources with which we're provided; involving residents in all aspects of planning and operations; serving as a clearinghouse for public information; and operating facilities which meet the legitimate, identified concerns of the residents of and visitors to our community.

We believe in being community-centered, consistently contributing to the quality of life in our area and as fully deserving of the public's trust through the consistent expression of positive values and acceptance of accountability for producing meaningful results.

CITY COUNCIL AGENDA

August 24, 2005

7:00 PM

Sedro-Woolley Community Center
703 Pacific Street

1. Call to Order
2. Pledge of Allegiance
3. Consent Calendar

NOTE: Agenda items on the Consent Calendar are considered routine in nature and may be adopted by the Council by a single motion, unless any Councilmember or a member of the audience wishes an item to be removed. The Council on the regular agenda will consider any item so removed after the Consent Calendar.

- a. Minutes from Previous Meeting
 - b. Finance
 - Claim Vouchers #55182 to #55287 for \$167,033.92
 - Payroll Warrants #36224 to #36243 for \$51,512.05 and #36244 to #36337 for \$130,671.06.
 - c. Waiver of Fees - City Park Facilities - SW School District - 2005-06 School Year
 - d. Employment Agreement - City Planner - Allen Rozema
 - e. Request for Out-of-State Travel - Legal
 - f. Economic Development Grant - Interlocal Agreement with Skagit County for Polte Road Improvements
 - g. Setting Public Hearing - Proposed Utility Tax on Cell Phones
 - h. Interlocal Agreement with Skagit County - SR20 / Fruitdale Signalization
 - i. Bingham Park/Munro Street Project
4. Proclamation - United Way
 5. Public Comment (Please limit your comments to 3-5 minutes)

PUBLIC HEARINGS

6. 2005 Comp Plan & Development Regulation Update

OLD BUSINESS

NEW BUSINESS

EXECUTIVE SESSION

CITY OF SEDRO-WOOLLEY

720 Murdock Street, Sedro-Woolley, WA 98284 (360) 855-0771

Memorandum

CITY COUNCIL AGENDA
REGULAR MEETING

AUG 24 2005

To: Mayor and City Council

From: STAFF *RBC*

7:00 P.M. COUNCIL CHAMBERS
AGENDA NO. 3F

Date: 8/12/2005

Re: Economic Development Grant

Background

This grant is for the project associated with improving truck access to Truck Vault, a Sedro-Woolley based business near the SR-20 / Township Street intersection.

The goal of the project is to add an access into the Truck Vault property from Polte Road by adding a driveway over the Skagit County (North Cascades) Trail. Also necessary would be to improve the Polte Road intersection to allow trucks greater ability to pull out onto Township back toward SR-20. This would allow Truck Vault to have an improved truck internal traffic pattern.

It is unclear at this point in time if this project is actually constructible due to the potential difficulties of the locations of two PSE transmission line poles (approximately \$50,000 each to move) and difficulties with the location and configuration of the existing railroad crossing at Township Street. Even though the railroad lines have not been used for many years, BNSF treats any line which hasn't been formally 'abandoned' as if it were a functioning live traffic line. There may be difficulties in dealing with BNSF on this expansion of an uncontrolled at-grade crossing.

The configuration we are first looking at is to leave the two PSE poles in place, and construct a 'pork chop' around them, and guide westbound north-turning traffic northeast of the poles. This then may create an issue with the existing railroad crossing not having enough width to accommodate a larger-radius curve from Polte Road onto northbound Township Street.

That being said, we will do the best we can to make this work for Truck Vault and the City.

Recommended Action

Authorize the Mayor to execute the attached agreement.



Skagit County
Administrative Services - Budget/Finance
Gary Rowe, County Administrator
Trisha Logue, CPA, Budget/Finance Administrator

August 2, 2005

Honorable Sharon Dillon
City of Sedro-Woolley
720 Murdock Street
Sedro-Woolley, WA 98284

Subject: Economic Development Public Facility Project Application

Dear Mayor Dillon,

Your requests for funding for the Polte Road Improvements project through the Distressed County Public Facilities Fund were reviewed by the Public Facilities Project Review Committee on June 29, 2005 and recommended for approval by the Board of County Commissioners on July 25, 2005. On behalf of the Board of Skagit County Commissioners, I am pleased to inform you that your projects were approved by Resolution # R20050271 on August 1, 2005.

Enclosed for your signature is the interlocal agreement for this project. After you have had the opportunity to read and sign it, please return it to the Commissioner's Office so that it can be routed for signatures here. If you would like a copy of the agreement with complete signatures, please let us know when you return it.

Congratulations on the selection of your projects. The County looks forward to their successful completion and the associated economic benefits.

Sincerely,

Gary Rowe
County Administrator

CITY OF SEDRO-WOOLLEY

Regular Meeting of the City Council
August 24, 2005 – 7:00 P.M. – Community Center

The Meeting was called to order at 7:00 P.M.

Pledge of Allegiance

ROLL CALL: Present: Mayor Sharon Dillon, Councilmembers: Ted Meamber, Tony Splane, Pat Colgan, Hugh Galbraith, Rick Lemley and Mike Anderson. Staff: City Attorney Hayden, Clerk/Treasurer Nelson, Engineer Blair, Police Chief Wood and Fire Chief Klinger.

Mayor Dillon announced an addition to the Consent Calendar for Metcalf Street Paving and Ferry Street Paving. At the request of several Councilmembers the contracts were placed under Old Business.

Consent Calendar

- Minutes from Previous Meeting
- Finance
 - Claim Vouchers #55182 to #55287 for \$167,033.92
 - Payroll Warrants #36224 to #36243 for \$51,512.05 and #36244 to #36337 for \$130,671.06
- Waiver of Fees – City Park Facilities – SW School District – 2005-06 School Year
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- Request for Out of State Travel – Legal
- Economic Development Grant – Interlocal Agreement with Skagit County for Polte Road Improvements
- Setting Public Hearing – Proposed Utility Tax on Cell Phones
- Interlocal Agreement with Skagit County – SR20/Fruitdale Signalization
- Bingham Park/Munro Street Project

Councilmember Lemley moved to accept the Consent Calendar Items A through I. Seconded by Councilmember Meamber. Motion carried.

Proclamation – United Way

Mayor Dillon reviewed a proclamation that proclaimed the months of September, October and November 2005 as United Way Campaign months in Sedro-Woolley.

**RECORD OF THE PROCEEDINGS
SKAGIT COUNTY BOARD OF COMMISSIONERS
TUESDAY, JULY 26, 2005**

- *T 8:30 a.m. – 9:00 a.m. Discussion/Possible Action – Interlocal Communications Network Consortium Agreement
- 9:00 a.m. – 9:30 a.m. Review/Signature – Red Hawk Estates Land Division
- *T 9:30 a.m. – 10:00 a.m. Discussion/Possible Action – Economic Development Grant Awards
- *T 10:00 a.m. – 11:00 a.m. Planning and Development Services – Gary Christensen, Director
1. Discussion – Report on County Population Data Including Urban/Rural Growth Ratio
 2. Discussion – Development Review Timeline and Trend Analysis
 3. Discussion – Request for Proposals on Transfer of Development Rights Feasibility Study
 4. Discussion – Alger Subarea Plan Update
 5. Miscellaneous
- *T 11:00 a.m. – 12:00 p.m. Appeal Submitted by Roger Pederson of the Skagit County Health Officer's Decision Regarding Solid Waste Fine For Improper Disposal of Animal Carcasses

The Skagit County Board of Commissioners met in regular session on Tuesday, July 26, 2005, with Commissioners Don Munks and Kenneth A. Dahlstedt present. Commissioner Ted W. Anderson's absence was excused.

DISCUSSION/POSSIBLE ACTION – INTERLOCAL COMMUNICATIONS NETWORK CONSORTIUM AGREEMENT.

Information Services Director Mike Almvig presented an Interlocal Communications Network Consortium Agreement to the Board, which allows the creation of a communications network throughout Skagit County. The Agreement is between Skagit County, the City of Anacortes, the City of Burlington, the City Of Mount Vernon, the City of Sedro-Woolley, Public Utility District #1 and the Port of Skagit County. Mr. Almvig said the network spans from Anacortes to Concrete and all cities of Skagit County are using the network, including the Swinomish Tribe.

Commissioner Dahlstedt said he is pleased to see this partnership come together. Chairman Munks agreed and thanked Mr. Almvig for his efforts in making fiber optics available throughout the County.

Commissioner Dahlstedt motioned to approve the establishment of an Interlocal Cooperative Agreement between Skagit County, the Cities of Anacortes, Burlington, Mount Vernon, Sedro-Woolley, PUD #1 and the Port of Skagit County, as outlined by Mr. Almvig. Chairman Munks seconded the motion, which carried.

REVIEW/SIGNATURE – RED HAWK ESTATES LAND DIVISION.

Brandon Black, Senior Planner with the Department of Planning and Development Services, came before the Commissioners to request an alteration of final plat #PL05-0025, submitted by Landed Gentry. Mr. Black indicated that the proposed amendment is to adjust the lot lines of eight lots previously approved as Red Hawk Estates in 2000 to make the lots more easily developed.

Commissioner Dahlstedt made a motion to approve the Red Hawk Estates Alteration of Final Plat #PL05-0025 and sign the final plat mylar. The motion was seconded by Chairman Munks and passed.

(Approved)

DISCUSSION/POSSIBLE ACTION – ECONOMIC DEVELOPMENT GRANT AWARDS.

Budget/Finance Administrator Trisha Logue reviewed the Skagit County Economic Development Public Facility projects that were approved by the Public Facilities Project Review Committee. They are as follows:

- Bullerville Utility District - Water Utility Replacement \$ 50,000
- Port of Skagit County - TTM Building Improvement \$200,000
- City of Mount Vernon - College Way/Riverside Drive \$300,000
- City of Mount Vernon - College Way, Freeway Drive, Stewart Road \$170,000
- Town of Hamilton - Water System Relocation \$300,000
- Port of Anacortes - Pier 1 Redevelopment Phase I \$400,000
- City of Anacortes - Thompson Road Sewer Extension \$ 66,000
- City of Sedro-Woolley - Fruitdale/SR 20 Signalization \$150,000

County Administrator Gary Rowe noted that Commissioner Anderson asked that improvements to Polte Road as requested by the City of Sedro-Woolley be reconsidered.

see newspaper article

After a brief discussion, Chairman Munks motioned to approve the Committee's recommendations, including the Polte Road improvements in the amount of \$152,000. Commissioner Dahlstedt seconded the motion, which passed.

Ms. Logue indicated that a Resolution will be on the Consent Agenda for Monday, August 1, 2005.

PLANNING & DEVELOPMENT SERVICES – GARY CHRISTENSEN, DIRECTOR

1. Discussion – Report on County Population Data Including Urban/Rural Growth Ratio.

Senior Planner Kirk Johnson provided worksheets regarding the amount and location of population growth in Skagit County between 1995 and 2004. Mr. Johnson indicated that the information was compiled by Mark Personius, a land use consultant who assisted in developing the 2002 Skagit County Growth Management Indicators Report. Various Steering Committee members have requested this data, according to Mr. Johnson. They say it is hard to advise the County on its Comprehensive Plan without up-to-date information on development trends.

The area of greatest interest has been the ratio of urban to rural population growth. Compiled data revealed that the percentage of new growth going to urban areas (municipalities and unincorporated Urban Growth Areas) dropped below 80% from 2002 through 2004, although the trend appears to be moving back upward. The total or target that 80% of new population growth should go to urban areas is established in the Countywide Planning Policies. CPP 1.2 reads:

Cities and towns and their urban growth areas, and non-municipal urban growth areas designated pursuant to CPP 1.1 shall include areas and densities sufficient to accommodate as a target 80% of the County's 20 year population projection.

The policy specifically speaks to the sizing of UGAs sufficient to accommodate, as a target, 80% of the County's 20 year population projection. The focus is on achieving that target by enabling development in the UGAs rather than limiting it in the rural area. This is consistent with GMA's directive that counties and cities adequately plan for projected urban growth, and allow growth outside of UGAs "only if it is not urban in nature."

Not only must UGAs be sized adequately, but the cities (or non-municipal UGA providers, such as the County at Bay View Ridge) must be able to provide adequate infrastructure to accommodate the growth

After Recording Return to:

**SKAGIT COUNTY BOARD OF COMMISSIONERS
1800 CONTINENTAL PLACE, SUITE 100
MOUNT VERNON, WA 98273**

**INTERLOCAL COOPERATIVE AGREEMENT
BETWEEN
SKAGIT COUNTY AND CITY OF SEDRO-WOOLLEY**

THIS INTERLOCAL AGREEMENT is entered into this ____ day of _____, 2005 between Skagit County, Washington (the "County") and City of Sedro-Woolley, a Washington Municipal Corporation (the "Contractor") pursuant to the authority granted by Chapter 39.34 RCW, INTERLOCAL COOPERATION ACT.

WHEREAS, the County is authorized by RCW 82.14.370 and Laws of 1999, Chapter 311 (collectively, the "Act") to impose a sales and use tax not to exceed eight one-hundredths of one percent (0.08%) for the purpose of financing public facilities in the County (the "Tax"); and

WHEREAS, the County imposed the Tax at the maximum statutory rate pursuant to Ordinance No. 17478, adopted by the Board of Skagit County Commissioners on June 21, 1999; and

WHEREAS, the Act authorizes the County to deduct the amount of the Tax from the amount of tax otherwise required to be collected or paid over to the Department of Revenue under Chapter 82.08 or 82.12 RCW; and

WHEREAS, the County has relied on the Legislature's express intent that the County impose the Tax and use it to finance public facilities for not longer than 25 years to promote the ongoing operation and expansion of business in rural distressed areas, to attract new businesses to rural distressed areas, to assist in the development of new businesses from within rural distressed areas, to provide family wage jobs to the citizens of rural distressed areas and to promote the development of communities of excellence in rural distressed areas; and

WHEREAS, the County has consulted with cities, towns and port districts within the County regarding the use of Tax proceeds; and

WHEREAS, an advisory committee appointed by the County convened on June 29, 2005 and reviewed 13 project applications for public facility funding, the aggregate sum of which was \$4,646,044; and

WHEREAS, the advisory committee recommended 8 project applications for funding totaling \$1,636,000; and the Board of County Commissioners added an additional project for approval bringing total funding to \$1,788,000; and

**Interlocal Agreement
Skagit County and City of Sedro-Woolley
Page 2**

WHEREAS, the advisory committee recommended the specific proposal, the Polte Road Improvements project (the "Project") of the Contractor described herein for funding totaling \$152,000; and

WHEREAS, the recommendation for approval of the Project has been adopted by the Board of County Commissioners pursuant to Resolution No.R20050271, dated August 1, 2005; and

WHEREAS, the County and the Contractor by their respective governing bodies, have determined that it is in the best interest of each jurisdiction to cooperate in disbursing Tax proceeds received by the County pursuant to the Act; and

WHEREAS, pursuant to the Interlocal Cooperation Act (Chapter 39.34 RCW), the County and the Town are authorized to exercise their powers jointly and thereby maximize their abilities to provide services and facilities which will best fulfill common needs; and

WHEREAS, the Project complies with the Contractor's Comprehensive Plan.

NOW, THEREFORE, in consideration of the mutual covenants contained herein, the County and the Contractor agree as follows:

AGREEMENT

1. Effective Date/Duration:

This Agreement shall become effective on full execution hereof, and shall expire upon completion of the Project. Work on the project shall commence within (thirty) 30 calendar days of the effective date of this Agreement and shall be substantially complete within 24 months from the effective date of this Agreement. For the purposes of this paragraph, the term "substantially complete" shall mean "when the contract work has progressed to the extent that the Contracting Agency has full use and benefit of the facilities, both from the operational and safety standpoint, and only minor incidental work, replacement of temporary substitute facilities, or correction or repair remains to physically complete the total contract." Upon termination of this Agreement, all property acquired by the Contractor shall remain the Contractor's property, with no obligation to pay the County therefore.

2. Administration: The following individuals are designated as representatives of the respective parties. The representatives shall be responsible for administration of this Agreement and for coordinating and monitoring performance under or greater than this Agreement. In the event such representatives are changed, the party making the change shall notify the other party.

2.1 The County's representative shall be the Budget and Finance Administrator:

Trisha Logue
Skagit County
1800 Continental Place, Suite 100

**Interlocal Agreement
Skagit County and City of Sedro-Woolley
Page 3**

Mount Vernon, WA 98273

2.2 The Contractor's representative shall be:

Rick Blair
City Engineer
City of Sedro-Woolley
720 Murdock Street
Sedro-Woolley, WA 98284

All notices and payments mailed by regular post (including first class) shall be deemed to have been given on the second business day following the date of mailing, if properly mailed and addressed. Notices and payments sent by certified or registered mail shall be deemed to have been given on the day next following the date of mailing, if properly mailed and addressed. For all types of mail, the postmark affixed by the United States Postal Service shall be conclusive evidence of the date of mailing.

3. Purpose:

The purpose of this Agreement is to formalize a commitment whereby the County will allocate to the Contractor the sum specified herein, in consideration of which the Contractor will complete the Project (as defined below) upon the terms and conditions described herein.

4. Construction:

The Contractor agrees to design, construct and complete the project described herein. The County shall have no responsibility for the design or construction of said project and the Contractor shall have the sole authority to determine its design, construction, location, and to enter into partnerships, contracts, or other legal arrangements with potential investors and/or users thereof to assist in financing and/or construction and permitting, in the manner allowed by law.

5. Grant Amount/Project Reimbursement/Budget:

The County agrees to grant \$152,000 towards the total project cost estimated at \$160,000 representing approximately 95% of the total project cost. The Contractor acknowledges that such amount may be derived from Bond proceeds

Progress payments shall be submitted by the Contractor to the County for reimbursement of project costs, and shall be based upon progress billings. The County shall upon receipt of appropriate documentation, reimburse the Contractor within 60 days, but no more often than monthly, through the County voucher system.

Actual design and construction costs will be based upon contracts let for public bid pursuant to law. The Contractor will account for all expenditures made for the project. The application for Public Facility Funding, attached as **Exhibit A**, shall also be recognized as a part of this agreement. The Contractor hereby warrants and guarantees that said Project shall be completed

Interlocal Agreement
Skagit County and City of Sedro-Woolley
Page 4

as described herein notwithstanding any cost overruns incurred in the course of design or construction.

6. Right to Review:
This contract is subject to review by the State Auditor's office. The County or its designee shall have the right to review and monitor the financial components of this project. Such review may include, but is not limited to, on-site inspection by County agents or employees, inspection of all records or other materials, which the County deems pertinent to the Agreement and its performance. The Contractor shall preserve and maintain all financial records for this project in a separate financial record from general operating or other project funds and records relating to this project under this Agreement for 3 years after contract termination, and shall make them available for such review, within Skagit County, State of Washington, upon request.
7. Acknowledgement of Funding:
All books, informational pamphlets, press releases, research reports, articles, requests for information, signs or other public notices developed for or referring to the activities or programs funded by this agreement shall include the statement, "This project received funding from Skagit County," or similar language acknowledging Skagit County's funding contribution. Further, Recipient shall notify the County (or Administrative Services) no later than two weeks before a dedication ceremony or public event for any activities or programs funded by this agreement. Recipient shall also make efforts to verbally acknowledge the County's contributions to the Recipient at all dedication ceremonies or other public events relating to any programs or projects funded by this agreement.
8. Modifications:
This Agreement may be modified only by the written consent of each party.
9. Defense & Indemnity Agreement:
The Contractor agrees to defend, indemnify and save harmless the County, its appointed and elected officers and employees, from and against all loss or expense, including but not limited to judgments, settlements, attorney's fees and costs by reason of any and all claims and demands upon the County, its elected or appointed officials or employees for damages because of personal or bodily injury, including death at any time resulting therefrom, sustained by any person or persons and on account of damage to property including loss of use thereof, whether such injury to persons or damage to property is due to the negligence of the Contractor, its subcontractors, its elected officers, employees or their agents, except only such injury or damage as shall have been occasioned by the sole negligence of the County, its appointed or elected officials or employees. It is further provided that no liability shall attach to the County by reason of entering into this contract, except as expressly provided herein.
10. Industrial Insurance Waiver:
With respect to the performance of this Agreement and as to claims against the County, its officers, agents and employees, the Contractor expressly waives its immunity under Title 51 of the Revised Code of Washington, the Industrial Insurance Act, for injuries to its employees and agrees that the

Interlocal Agreement
Skagit County and City of Sedro-Woolley
Page 5

obligations to indemnify, defend and hold harmless provided in this Agreement extend to any claim brought by or on behalf of any employee of the Contractor. This waiver is mutually negotiated by the parties to this Agreement.

11. Venue and Choice of Law:
In the event that any litigation should arise concerning the construction or interpretation of any of the terms of this Agreement, the venue of such action of litigation shall be in the Superior Court of the State of Washington in and for the County of Skagit. This Agreement shall be governed by the laws of the State of Washington.
12. No Separate Legal Entity:
No separate legal entity is created hereby, as each of the parties is contracting in its capacity as a municipal corporation of the State of Washington. No joint oversight and administration board is created hereby. For purposes of RCW 39.34.030(4)(a), the Contractor's representative to administer the Project shall be Rick Blair.
13. Severability: If any term or condition of this agreement or the application thereof to any person(s) or circumstances is held invalid, such invalidity shall not affect other terms, conditions or applications which can be given effect without the invalid term, condition or application. To this end, the terms and conditions of this contract are declared severable.
14. Waiver:
Waiver of any breach or condition of this contract shall not be deemed a waiver of any prior or subsequent breach. No terms or conditions of this contract shall be held to be waived, modified or deleted except by an instrument, in writing, signed by the parties hereto.
15. Entire Agreement:
This written agreement represents the entire Agreement between the parties and supersedes any prior oral statements, discussions or understandings between the parties.

Interlocal Agreement
Skagit County and City of Sedro-Woolley
Page 6

IN WITNESS WHEREOF, the parties have signed this Agreement as of this
_____ day of _____, 2005.

CONTRACTOR

BOARD OF COUNTY COMMISSIONERS
SKAGIT COUNTY, WASHINGTON

Don Munks, Chairman

ATTEST:

Ted W. Anderson, Commissioner

Kenneth A. Dahlstedt, Commissioner

APPROVED AS TO FORM:

APPROVED AS TO CONTENT:

Department Head

Budget/Finance Administrator

Risk Manager

APPROVED AS TO FORM:

Civil Deputy

ATTEST:

JoAnne Giesbrecht, Clerk of the Board



SKAGIT COUNTY ECONOMIC DEVELOPMENT PUBLIC FACILITY PROJECT APPLICATION

For Projects Funded by Skagit County's Economic Development Public
Facilities Distressed/Rural County Sales and Use Tax

Per Skagit County Code, Chapter 3.09 Distressed County Sales and Use Tax and
RCW 82.14.370 Local Option Sales and Use Tax

City of Sedro-Woolley

Rick Blair, City Engineer

720 Murdock Street

Sedro-Woolley

WA 98284

Telephone: 360-855-0771 Fax: 360-855-0733

Email: rblair@ci.sedro-woolley.wa.us

General Information

RCW 82.14.370 (3) Defines "public facilities" as bridges, roads, domestic and industrial water facilities, sanitary sewer facilities, earth stabilization, storm sewer facilities, railroad, electricity, natural gas, buildings, structures, telecommunications infrastructure, transportation infrastructure, commercial infrastructure, and port facilities in the state of Washington.

Polte Road Improvements

Project Type: Infrastructure construction – roads

Project Location: City of Sedro-Woolley – a 500-foot stretch of Polte Road and the intersection of Polte Road and Township Streets.

Project Date: Summer 2005

Project Description:

Realign and improve the intersection of Polte Road and Township Street in order to provide vehicle and truck access, support heavy truck traffic, and to provide adequate turning radius for an industrial business that needs a second access point in order to expand their business. Also includes reconstruction of approximately 500 feet of Polte Road to include repaving, sidewalks, trail resurfacing, and right-of-way acquisition. Skagit County has agreed to assist the City in providing access across the existing Cascade Trail property owned by Skagit County.

Required Resources

Provide a project budget that shows current and proposed funding that clearly illustrates the total funding required for the project from the Public Facilities fund. Specify any conditions attached to any funding sources.

Funding Requested from Distressed/Rural County Sales and Use Tax to Fund Public Facilities Projects in Skagit County	\$152,000
Amount Primary Sponsor/Organization is Contributing to the Project	\$8,000
Total Project Cost	\$160,000

Growth Management

RCW 82.14.370(3) (a), public facilities must be listed as an item in the officially adopted county/city overall economic development plan or economic development section of the county's/city's comprehensive plan. Under which plan is the proposed project contained? Please provide documentation that the project has been approved by the appropriate authority. (Resolution, ordinance, etc)

Sedro-Woolley Comprehensive Plan

➤ Is the project located in an Urban Growth Area? Yes

➤ What is the zoning on the proposed project site?

Mixed Commercial and Residential

Value Proposition

- How will this project improve local infrastructure capacity? Who much additional capacity will be provided for future development?

Street improvements in this area will provide an efficient alternative route to State Route 20. This is consistent with our Comprehensive Plan goal of installing infrastructure first in areas planned for industrial and dense residential use.

- Is this project supportive of a specific business? If so, how many?

The project will allow an existing industrial business (Truck Vault) who currently employs 40 people, to expand their current capabilities and increase their number of employees by up to an additional 40 people in the next 5 years.

The proposed infrastructure improvements will benefit adjacent commercial businesses in this area by providing much needed intersection and roadway improvements.

- Describe, in detail, how this project will result in the creation of jobs and/or allow for the retention of current jobs.

Truck Vault currently employs 40 people, and are planning to expand their current operations to increase the number of employees by up to 40 additional people in the next 5 years.

- Provide information on the following: (a) the average wage, including health care benefits, and the number of new employees; and/or (b) the average wage, including health care benefits, and the number of retained employees.

	Jobs Retained	Jobs Created 1 – 3 Years	Jobs Created 3 – 5 Years
Number of Jobs			Up to 40 additional
Average Wage		Average starting wage range \$10-\$17 per hour	Average starting wage range \$10-\$17 per hour
Benefits		Health Care	Health Care
Total Compensation			

to meet their expansion needs;

c) Make the community more attractive to tourists, capitalizing on our location on the scenic byway of SR 20 at the intersection with SR 9; and

d) Strengthen the traditional downtown. This project will have spin-offs that benefit downtown because it is located just a few blocks outside of the Central Business District.

This project is consistent with the city's Comprehensive Plan for encouraging local business development opportunities and to create local employment, shopping and other urban service activities that reduce Sedro-Woolley's dependence upon other urban areas.

Sharon D. O'Ellon

6-13-05

Signature of Organization Representative

Date

Project Timeline

- Provide a timeline for the project, including project begin date and completion date.

Design anticipated: March 1, 2005 – April 30, 2005.

Ad: May 15, 2005

Bid Award: June 1, 2005

Construction: July 1 – August 30, 2005 (Approx 60 days)

This is the most progressive timeline achievable. Depending on actual needs, circumstances, and funding, this timeline may shift by 1 - 12 months.

- Is this a phased project? If yes, how many phases? Over how many years? For which phase is the requested funding being applied?

No.

- Summarize efforts you've taken to date regarding the project. What planning has taken place? Have engineering reports and feasibility studies been prepared? If so, describe them.

The City and Skagit County have been efforts to coordinate access across the existing Cascade Trail property owned by Skagit County.

Action Plan

- What quantifiable measures are you going to track to measure the success of the project?

To measure the success of this project, we intent to track:

Numbers of new employees over time;

Approximate payroll generated;

Sales tax revenue;

Apprenticeship and/or training opportunities.

Miscellaneous

Include information related to the project, if any, which would assist the Economic Development Advisory Committee and the Board of County Commissioners in evaluating the funding request, such as emergency declarations, bird-in-hand industry, volunteer efforts, links to other priority projects, etc.

Sedro-Woolley is rapidly becoming a bedroom community due to the relatively low price of residential land. The traditional timber-dependent economic base experienced a major decline twenty years ago from which it has never fully recovered. That trend continues with Weyerhaeuser's recent decision to close a portion of its hardwood plant employing 30 workers. Our economic diversification strategy is to:

- a) Attract small-to-medium employers in all sectors: industrial, commercial, retail;
- b) Assist existing businesses in expansion projects by providing adequate infrastructure

Memorandum

To: Mayor Anderson and City Council

From: Patsy Nelson *Patsy*

Date: 1/30/2007

Re: Council Calendar

City staff has prepared a Council agenda calendar. This calendar is intended to plan the next five meetings and work sessions as well as showing expiration dates of any interim ordinances and pending issues which have not yet been assigned to a specific meeting. A copy of this calendar will be included in the back of each Council packet to give you a better idea of future topics for discussion.

If you need to miss a meeting, please let us know as soon as possible so it may be entered on the calendar.

Patsy Nelson

Subject: Council meeting

Status: Not Started

Percent Complete: 0%

Total Work: 0 hours

Actual Work: 0 hours

Owner: Patsy Nelson

February 14 Council

Biosolids contract
City Hall Update
Contract for sewer line work
Contract change order for sidewalks
Budget amendment: sewer line work & dump trucks
Brush & woodwaste contract
RAM bond for retainage
City of MV interlocal
Tree Source restrictive covenant
Tree Source sale of land
Noise ordinance amendment - first read
McGarigle interlocal with Skagit County
McGarigle update by Janice Marlega, Skagit County Engineer

February 28 Council

City Hall Update

March 6 Worksession

Personnel Policies
ORV Ordinance
Community Center Use rules
Vintage Code Review update
OTAK - Storm water

March 14 Council

Award bid for City Hall
Budget amendment for City Hall
City Hall update

March 20 Joint PC & Council

Access Management Policy

March 28 Council

City Hall Update

April 3 Council Worksession

April 11 Council

City Hall Update

April 25 Council
City Hall Update

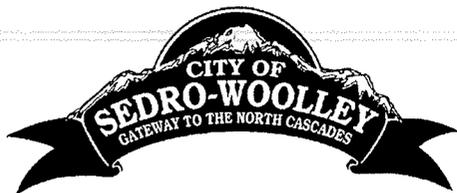
May 1 Worksession

Interim

Sewer Moratorium 1559-06 11/21/06 expires 05/20/07

Pending

Fireworks
Parks fee waiver (Community Center & shelters)
Northern State Complex Sewer Rate Contract



CITY OF SEDRO-WOOLLEY
Sedro-Woolley Municipal Building
720 Murdock Street
Sedro-Woolley, WA 98284
Phone (360) 855-1661
Fax (360) 855-0707

Eron M. Berg
City Attorney

MEMO TO: City Council
RE: SWMC updates
DATE: February 6, 2007

The Council discussed a process for addressing potential changes to “vintage code” sections at your December worksession. The plan was to take some time at a future worksession to assign code sections to Council committees and staff for additional review and recommendations to the Council later this spring.

If the Council so desires additional review and recommendations on these sections, the following are the staff recommendations for additional review by Council committees (or for development regulations, Planning Commission review). Each section follows on a separate page with the full text of the section and space to identify the Council committee and staff assigned to review it.

<u>Chapter</u>	<u>Title</u>	<u>Date</u>	<u>Concerns</u>
2.44	Board of Park Commissioners	1922/1941	needs updates
2.46	Storm Water Utility	1999	Establish a fee under § 060
2.72	City Building	1932/1975	review
2.90.060	Appeals Process	2003/2004	review function
3.04	Admission Tax	1943	review usefulness
3.56	Claims	1899	update process
3.60	Fees (Police & Fire)	1994	update (reflect actual costs?)
3.64	NSF fee	1989	increase fee for bad checks
5.04	Business licenses	1993/2002	update/review fees & types
5.08	Amusement Devises	1956	review
5.20	Public Dance Halls	1933	review usefulness
5.28	Taverns	1957	update
8.32	Jumping on Moving Trains	1899	review usefulness
10.44	Parking	1995	address CBD
13.16.035	Sewer fees – commercial (Table 1)	1976/1996	update
16.12.030(d)	Dedications for Short Plats	2003/2004	allow maintenance agreement
17.04.030	Home occupation: definition	1985/1988	purpose/limitations
17.08.030(c)	R-5 permitted uses	1985/2004	revise/require variance
17.12.030(c)	R-7 permitted uses	1985/2004	revise/require variance
17.50.030(c)	SEPA review by PC (landscaping)	2005	review function

SWMC 2.44

Council Committee: _____

Staff support: _____

BOARD OF PARK COMMISSIONERS

Sections:

- 2.44.010 Created—Membership.**
- 2.44.020 Appointments—Powers.**
- 2.44.030 Organization.**
- 2.44.040 Duties.**
- 2.44.050 Money.**

2.44.010 Created—Membership.

There is hereby created a board of park commissioners for the city to consist of three qualified electors of the city to be appointed by the mayor and confirmed by the city council. (Ord. 259 § 1, 1922)

2.44.020 Appointments—Powers.

Annually at the time he shall make his other appointments, the mayor, with the consent of the city council, shall appoint a board of park commissioners, not to exceed three in number, from citizens of recognized fitness for such position. No persons shall be ineligible as a commissioner by reason of sex, and no commissioner shall receive any compensation. The first commissioners shall determine by lot whose term of office shall expire each year, and a new commissioner shall be appointed annually to serve for a term of years corresponding in number to the number of commissioners in order that one term shall expire each year. Members of the commission may be removed at any time by the mayor, with the consent of the council, and vacancies shall be filled in the same way that original appointments are made. Such board of park commissioners shall have the power to prescribe rules and regulations for the government and management of city parks, which rules and regulations shall be enforced by the police department. (Ord. 414 § 1, 1941; Ord. 259 § 2, 1922)

2.44.030 Organization.

Immediately after their appointment the board of park commissioners shall organize by the election from among themselves of a president and secretary. It shall be the duties of the president to preside at all meetings of the board and of the secretary to keep minutes of all proceedings of the board. A majority of the board shall constitute a quorum for the transaction of business and two affirmative votes shall be necessary to carry any proposition before the board. (Ord. 259 § 3, 1922)

2.44.040 Duties.

The board of park commissioners shall have general supervision and control of all the parks of the city, and it shall be the duty of the board of park commissioners to see that the grounds, buildings, fences and appliances of the parks are kept in a good and sanitary condition; and to make each year, prior to the time the city council prepares its budget for taxation for the ensuing year, an estimate of the amount of money necessary for the proper maintenance of the city parks for the ensuing year and present it to the city council for its information in preparing the budget for the tax levy for the maintenance of the city parks. (Ord. 259 § 4, 1922)

2.44.050 Money.

The amount of money raised by taxation or otherwise each year for the maintenance of the city parks shall be expended for that purpose under the supervision and direction of the board of park commissioners. All accounts for expenditures for the maintenance of the city parks made each calendar month shall be approved by the board of park commissioners and filed with the city clerk before the first regular session of the city council of the following month, and such accounts shall then be audited and allowed by the city council in the same manner as other claims against the city; but in no case shall the board of park commissioners incur any indebtedness beyond the amount of money then in the park fund in the treasury of the city, except with the consent of the city council having been first obtained. (Ord. 259 § 5, 1922)

SWMC 2.46

Council Committee: _____

Staff support: _____

Chapter 2.46
STORM AND SURFACE WATER UTILITY

Sections:

- 2.46.010 Utility established.**
- 2.46.020 Jurisdiction.**
- 2.46.030 Plan adopted.**
- 2.46.040 Transfer of property.**
- 2.46.050 Cost.**
- 2.46.060 No fee imposed.**

2.46.010 Utility established.

There is created and established a storm and surface water utility. The utility shall be administered under direction of the mayor or designee. (Ord. 1339-99 § 1, 1999)

2.46.020 Jurisdiction.

The city shall have jurisdiction over all storm and surface water facilities within the city. No modifications or additions shall be made to the city's storm and surface water facilities without the prior approval of the city. (Ord. 1339-99 § 2, 1999)

2.46.030 Plan adopted.

The interim plan of the storm and surface water utility shall be as set forth in Exhibit A attached to the ordinance codified in this chapter and incorporated by reference. (Ord. 1339-99 § 3, 1999)

2.46.040 Transfer of property.

All properties, property rights and interests of every kind or nature owned or held by the city, however acquired, insofar as they relate to or concern storm or surface water sewage are transferred to the storm and surface water utility, including by way of examples and not limitation, all properties, rights and interests acquired by adverse possession or by prescription in and to the drainage and storage of storm or surface waters over and under lands, watercourses, streams ponds and sloughs to the full extent of inundation caused by the largest storm or flood condition. (Ord. 1339-99 § 4, 1999)

2.46.050 Cost.

Since the city now owns all the facilities, rights and interests set forth in Section 2.46.040, there is no estimated cost for these facilities. The cost for review and prioritization of the projects set forth in the plan adopted in Section 2.46.030 is estimated at eighty-one thousand dollars (\$81,000.00) per year for two years, for a total of one hundred sixty-two thousand dollars (\$162,000.00), per Exhibit A, attached to the ordinance codified in this chapter and incorporated by reference. (Ord. 1339-99 § 5, 1999)

2.46.060 No fee imposed.

The owners of all real property in the city which contributes drainage water to and/or which benefits from the city's storm water utility shall pay no utility fee under this chapter at this time. The city council shall conduct the study set forth in the plan adopted in Section 2.46.030, and shall consider a proposed fee following completion of the study. Nothing herein shall preclude the city from imposing any fee, charge or requirement for storm and surface water drainage under any other ordinance or regulation. (Ord. 1339-99 § 6, 1999)

SWMC 2.72

Council Committee: _____

Staff support: _____

**Chapter 2.72
CITY BUILDING**

Sections:

- 2.72.010 Citizen use.**
- 2.72.020 Permit application.**
- 2.72.030 Permit required for use.**
- 2.72.040 Women's club—Reimbursement.**
- 2.72.050 Charges for use.**
- 2.72.060 Restored to clean and orderly condition.**
- 2.72.070 Janitor—Duties.**
- 2.72.080 Penalties.**

2.72.010 Citizen use.

Subject to the rules and regulations herein prescribed, the upper story of the city building and the furnishings therein may be used by any citizen of the city, or by any organization or association in or about the city, except for the following purposes:

- A. As the regular meeting place of any private corporation;
- B. As the regular place of worship of any religious organization;
- C. As a meeting place for a group or organization meeting for any unlawful purpose;
- D. For the purpose of holding therein public or private dances, for the use of any political convention,

or for the purpose of holding any meeting, gathering, or entertainment at which admission shall be charged or any collection taken, unless a special permit shall be issued therefor by the city council. (Ord. 809 § 8, 1975; Ord. 346 § 1, 1932)

2.72.020 Permit application.

Any person, organization, or association desiring to use the third story of the city building or any part thereof shall make application therefor to the chairman of the building committee of the city council, and the chairman of such building committee shall, unless the use applied for shall be prohibited by Section 2.72.010, issue to such person, organization, or association a permit in writing, permitting the use of the third story of the city building by such person, organization or association on the date or dates and for the use designated in the permit. The permit shall also designate the particular room or rooms which such person, organization, or association may occupy or use on such date or dates. No permit shall be issued by the chairman of the building committee for the use of the city building or any part thereof by any person, organization, or association more frequently than once each week. (Ord. 346 § 2, 1932)

2.72.030 Permit required for use.

It is unlawful for any person, organization or association to use the city building or any part thereof: (A) without first having obtained a permit in writing from the chairman of the building committee therefor, or (B) for any other date or dates, or (C) for any other use than that designated in the permit. (Ord. 346 § 3, 1932)

2.72.040 Women's club—Reimbursement.

If the permit shall include the use of any room or rooms furnished or equipped by the women's club of the city, the chairman of the building committee shall collect from the person to whom the permit is issued at the time of issuing the permit, the sum of one dollar and fifty cents for each day the room or rooms shall be used, and all sums so collected shall be turned over to the women's club on the first day of each month by the chairman of the building

committee, to reimburse the organization for the use of their furnishings and equipment and to reimburse them for any breakage or damage thereto. (Ord. 346 § 4, 1932)

2.72.050 Charges for use.

If the city council shall issue any special permit for the use of the third floor of the city building for any use mentioned in Section 2.72.010D, the city council shall, at the time of issuing the special permit, fix the charge to be made for the issuance of such special permit at the time of granting the same. No other charge or charges of any kind, except as hereinabove provided, shall be made for the use of the city building or any part thereof. (Ord. 346 § 5, 1932)

2.72.060 Restored to clean and orderly condition.

Any person or organization using such rooms shall leave the same in an orderly condition and shall leave all dishes and equipment clean and restored to the proper place. The chairman of the building committee shall collect the cost of any furnishing or equipment broken, destroyed, or removed from the building from such person, organization, or association breaking, destroying, or removing such furnishings or equipment. Any person or organization or association failing to leave furnishings or equipment used in proper order and condition, or failing to pay costs of any equipment broken, destroyed or removed, shall be issued no further permit for the use of the building or any part thereof. (Ord. 346 § 6, 1932)

2.72.070 Janitor—Duties.

Keys for all rooms in the third story of the city building, and for all cabinets containing furnishings and equipment, shall be left with the janitor of the city building. Any person, organization or association obtaining a permit for the use of the building, or any part thereof, shall present the permit to the janitor, and the janitor shall thereupon open and make available for the use of the organization, the rooms and equipment provided in the permit, and shall see that the rooms are properly furnished with heat and light, and are clean and orderly, and shall, at all other times except while being used under such permit, keep the rooms and furnishings and equipment in the third story of the building securely locked. (Ord. 346 § 7, 1932)

2.72.080 Penalties.

Any person who shall violate any of the provisions of this chapter shall be deemed guilty of a misdemeanor and upon conviction thereof, shall be punished by a fine of not more than one hundred dollars, or by imprisonment in the city jail for not exceeding thirty days, or by both such fine and imprisonment. (Ord. 346 § 8, 1932)

SWMC 2.90.060
Council Committee: _____
Staff support: _____

2.90.060 Closed record meetings and appeals.

A. A closed record appeal is allowed for those actions taken at an open record hearing, if provided in SWMC 2.90.010, or by other ordinance or statute; provided, that nothing in this chapter shall grant a right to judicial review of legislative actions, or enlarge the scope of judicial review of legislative actions, including comprehensive plan amendments and areawide rezones, beyond that provided by statute or case law. The hearing body for a closed record appeal shall comply with the requirements of SWMC 2.90.050(A)—(D) and (H) to the extent applicable.

B. All appeals of project permit application decisions, other than appeals of determinations of significance (“DS”), and exempt permits and approvals under SWMC 2.90.010(H), shall be considered together in a consolidated appeal using the appeal procedure for the highest type permit application.

C. Standing to Initiate an Administrative Appeal.

1. Limited to Parties of Record. Only parties of record may file an administrative appeal.

2. Definition. The term “parties of record,” for the purposes of this chapter, shall mean:

a. The applicant;

b. Any person who testified at the open record public hearing on the application;

c. Any person who submitted written comments concerning the application at the open record public hearing (excluding persons who have only signed petitions or mechanically produced form letters); and/or

d. The City of Sedro-Woolley.

D. Appeals of the decision on a project permit application or a decision following a request for reconsideration shall be governed by the following:

1. Only parties of record have standing to appeal the decision.

2. An appeal must be filed within fourteen days after the final decision or decision following a request for reconsideration. Appeals shall be delivered to the director by mail, by personal delivery or by fax before four thirty p.m. on the last business day of the appeal period. Appeals received by mail after four thirty p.m. on the last day of the appeal period will not be accepted, no matter when such appeals were mailed or postmarked.

3. For the purposes of computing the time for filing an appeal, the day the hearing body’s decision is issued shall not be counted. If the last day of the appeal is a Saturday, Sunday, or holiday designated by RCW 1.16.050 or by a city ordinance, then the appeal must be filed on the next business day.

4. Appeals shall be in writing, be accompanied by the required appeal fee, and contain the following information:

a. Appellant’s name, address and phone number;

b. A statement describing appellant’s standing to appeal;

c. Identification of the application that is the subject of the appeal;

d. Appellant’s statement of grounds for appeal and the facts upon which the appeal is based with specific references to the facts in the record;

e. The specific relief sought;

f. A statement that the appellant has read the appeal and believes the contents to be true, followed by the appellant’s signature.

5. The timely filing of an appeal shall stay the director’s or hearing body decision until such time as the appeal is concluded or withdrawn.

6. The director shall provide mailed notice of the appeal to all parties of record as defined in subsection (c) of this section.

E. Closed record appeals shall be on the record established at the hearing before the hearing body whose decision is appealed, which shall include the written decision of the hearing body, a transcript or tape recording of the proceedings, and copies of any exhibits admitted into the record. No new testimony or other evidence will be accepted except:

1. New information that was unknown to the parties at the time of the hearing which could not reasonably have been discovered by the parties and is necessary for a just resolution of the appeal; and

2. Relevant information that, in the opinion of the council, was improperly excluded by the hearing body. Appellants who believe that information was improperly excluded must specifically request, in writing prior to the closed record appeal, that the information be made part of the record. The request shall describe the

information excluded, its relevance to the issues appealed, the reason(s) that the information was excluded by the hearing body, and why the hearing body erred in excluding the information. No reference to excluded information shall be made in any presentation to the council on the merits, written or oral, until the council has determined that the information should be admitted.

a. Parties to the appeal may present written and/or oral arguments to the council. Argument shall describe the particular errors committed by the hearing body, with specific references to the appeal record.

b. The hearing shall commence with a presentation by the director, or the director's designee, of the general background and the issues in dispute. After the director's presentation, the appellant(s), then the other parties of record shall make their arguments. Members of the hearing body may question any party concerning disputed issues, but shall not request information not in the record. The appellant shall bear the burden of proving that the decision was wrongly decided.

c. The hearing body may affirm, modify, reverse, or remand the decision to the hearing body for additional information.

3. An open record appeal hearing shall be conducted in the manner set forth in this section.

F. The city's final decision on an application may be appealed by a party of record with standing to file a land use petition in Skagit County superior court. Such petition must be filed within twenty-one days after issuance of the decision, as provided in Chapter 36.70C RCW or otherwise provided by law.

G. Any permit application or other request for approval submitted pursuant to this chapter that is denied shall not be resubmitted or accepted by the director for reconsideration for a period of twelve months from the date of the last action by the city on the application or request unless, in the opinion of the director, there has been a significant change in the application or a significant change in conditions related to the impacts of the proposed project. (Ord. 1485-04 § 1 (part), 2004; Ord. 1449-03 § 2 (part), 2003)

SWMC 3.04
Council Committee: _____
Staff support: _____

Chapter 3.04

ADMISSION TAX

Sections:

- 3.04.010 Definitions.
- 3.04.020 Imposition.
- 3.04.030 When tax not applicable.
- 3.04.040 Free admissions.
- 3.04.050 Some charges less than others.
- 3.04.060 Price required on ticket.
- 3.04.070 Payment and collection.
- 3.04.080 Certificate of registration.
- 3.04.090 Temporary or transitory amusement.
- 3.04.100 Rules and regulations.
- 3.04.110 Penalty for violations.

3.04.010 Definitions.

For the purpose of this chapter, words and phrases shall have the following meanings:

“Place” includes, but is not restricted to, theaters, amphitheaters, auditoriums, stadiums, athletic pavilions and fields, baseball and athletic parks, circuses, sideshows, outdoor amusement parks, and such attractions as merry-go-rounds, ferris wheels, dodge ‘ems, roller coasters, other carnival and circus rides, sideshows, and observation towers.

“Person” means any individual, receiver, assignee, firm, copartnership, joint venture, corporation, company, joint stock company, association, society, or any group of individuals acting as a unit, whether mutual, fraternal, nonprofit, or otherwise. (Ord. 433 § 1, 1943)

3.04.020 Imposition.

There is hereby levied and imposed upon every person (including children, without regard to age) who pays admission to any place, including a tax upon persons who are admitted free of charge or at reduced rates for which other persons pay a charge or a regular higher charge for the same or similar privileges or accommodations, a tax in the amount of one cent for each twenty-five cents or fraction thereof paid for the admission charge; provided however, that no admission charge shall be levied for persons admitted for any activity of any elementary or secondary school. (Ord. 809 § 9, 1975; Ord. 516 § 1 (part), 1954; Ord. 433 § 2(a), 1943)

3.04.030 When tax not applicable.

Whenever the admission charge is ten cents or less no tax shall be payable, nor shall any tax be paid, by any bona fide employee of the place, or by any federal, state, or municipal officer or employee on official visits, or by any child under twelve years of age admitted free. (Ord. 516 § 1 (part), 1954; Ord. 433 § 2(b), 1943)

3.04.040 Free admissions.

Whenever any person is admitted free or at reduced rates to any place, at a time when and under circumstances where an admission charge is made to other persons for the same or similar accommodations, a tax shall be payable by the person so admitted in an amount equal to the tax payable by such other person for the same or similar accommodations. (Ord. 516 § 1 (part), 1954; Ord. 433 § 2(c), 1943)

3.04.050 Some charges less than others.

Whenever the charge to women and children for admission to any place is less than the charge to men, or when such persons are regularly admitted free, the lesser charge is not to be deemed to be a reduced rate under this chapter, and the amount of the tax payable hereunder by such persons shall be determined by the amount of the actual admission charge paid. (Ord. 516 § 1 (part), 1954; Ord. 433 § 2(d), 1943)

3.04.060 Price required on ticket.

The price (exclusive of the tax to be paid by the person paying for admission) at which every admission ticket or card is sold shall be conspicuously and indelibly printed or written on the face or back of that part of the ticket which is to be taken up by the management of the place to which admission is gained; and it is unlawful for any person to sell any admission ticket or card on which the name of the vendor or the price is not so printed, stamped, or written, or to sell an admission ticket or card at a price in excess of the price printed, stamped, or written thereon. (Ord. 433 § 3, 1943)

3.04.070 Payment and collection.

Every person receiving any payment for admissions on which a tax is levied under this chapter shall collect the amount of the tax imposed from the person making the admission payment. The tax required to be collected under this chapter shall be deemed to be held in trust by the person required to collect the same until paid to the city treasurer as herein provided. Any person required to collect the tax imposed under this chapter who fails to collect the same, or, having collected the same, fails to remit the same to the city treasurer in the manner prescribed by this chapter, whether such failure be the result of his own act or the result of acts or conditions beyond his control, shall nevertheless be personally liable to the city for the amount of such tax, and shall, unless the remittance be made as herein required, be guilty of a violation of this chapter. The tax imposed by this chapter shall be collected at the time admission charge is paid by the person seeking admission to any place and shall be reported and remitted by the person receiving the tax to the city treasurer in monthly installments and remittances therefor on or before the fifteenth day of the month following the end of the month during which the tax was collected or received. Payment or remittance of the tax collected may be made by check, unless payment or remittance is otherwise required by the city treasurer, but payment by check shall not relieve the person collecting the tax from liability for payment and remittance of the tax to the city treasurer unless the check is honored and is in full and correct amount. The person receiving any payment for admissions shall make out a return upon such forms and setting forth such information as the city treasurer may require, showing the amount of the tax upon admissions for which he is liable for the preceding monthly period, and shall sign and transmit the same to the city treasurer with a remittance for the amount; provided, that the city treasurer may in his discretion require verified annual returns from any person receiving admission payments setting forth such additional information as he may deem necessary to determine correctly the amount of tax collected and payable. Whenever any theater, circus, show, exhibition, entertainment or amusement makes an admission charge which is subject to the tax herein levied, and the same is of a temporary or transitory nature, of which the city treasurer shall be the judge, the city treasurer may require the report and remittance of the admission tax immediately upon the collection of the same, at the conclusion of exhibition, or at any conclusion of the series of performances or exhibitions, or at such other times as the city treasurer shall determine; and failure to comply with any requirement of the city treasurer as to report and remittance of the tax as required shall be a violation of this chapter. The books, records and accounts of any person collecting a tax herein levied shall, as to admission charges and tax collections, be at all reasonable times subject to examination and audit by the city treasurer. (Ord. 433 § 4, 1943)

3.04.080 Certificate of registration.

Any person conducting or operating any place for entrance to which an admission charge is made shall, on a form prescribed by the city treasurer, make application to and procure from the city treasurer a certificate of registration, the fee for which shall be one dollar, which certificate shall continue valid until the thirty-first of December of the year in which the same is issued. Such certificate of registration, or duplicate original copies thereof to be issued by the city treasurer without additional charge, shall be posted in a conspicuous place in each ticket or box office where tickets of admission are sold. (Ord. 433 § 5, 1943)

3.04.090 Temporary or transitory amusement.

Whenever a certificate of registration is obtained for the purpose of operating or conducting a temporary or transitory amusement, entertainment or exhibition by persons who are not the owners, lessees or custodians of the buildings, lots or places where the amusement is to be conducted, the tax imposed by this chapter shall be reported

and remitted as herein provided by the owner, lessee or custodian, unless paid by the person conducting the place. The applicant for a certificate of registration for such purpose shall furnish with the application therefor the name and address of the owner, lessee or custodian of the premises, and such owner, lessee or custodian shall be notified by the treasurer of the issuance of such certificate and the joint liability for collection and payment of such tax. (Ord. 433 § 6, 1943)

3.04.100 Rules and regulations.

The city treasurer shall have power to adopt rules and regulations not inconsistent with the terms of this chapter for carrying out and enforcing the payment, collection, and remittance of the tax herein levied; a copy of such rules shall be kept by the city treasurer for public examination, and failure or refusal to comply with any such rules shall be deemed a violation of this chapter. (Ord. 433 § 7, 1943)

3.04.110 Penalty for violations.

Each violation or failure to comply with the provisions of this chapter shall constitute a separate offense and shall subject the offender to a fine of not to exceed three hundred dollars, or to imprisonment in the city jail for not to exceed ninety days, or to both such fine and imprisonment. (Ord. 433 § 8, 1943)

SWMC 3.56
Council Committee: _____
Staff support: _____

Chapter 3.56

CLAIMS AGAINST THE CITY

Sections:

- 3.56.010 Form and presentation.**
- 3.56.020 Referral to finance committee.**
- 3.56.030 Temporary members of finance committee.**

3.56.010 Form and presentation.

All claims and demands against the city shall be in writing, fully itemized and verified by the affidavit of the claimant, his agent or attorney, to the effect that the amount claimed is correct, is justly due and remains unpaid, and all claims when so ratified shall be filed with the city clerk and be by him registered in the record of demands and warrants, and shall be presented and read by the clerk at the next regular meeting of the council. (Town Ord. 8 § 1, 1899)

3.56.020 Referral to finance committee.

All claims and demands presented as provided by Section 3.56.010 shall be referred to the finance committee of the council for examination which committee shall diligently examine into and investigate the justice and validity of the claim, and report in writing on the claim, making such recommendation as in their judgment is just and right at the next regular meeting of the council; provided, that all bills representing stated salaries or other claimants fixed by ordinance or any contract with the city may be reported on by the committee and allowed at the same meeting at which the same is presented, and all other demands may be reported on and allowed at the same meeting at which the same is presented when so directed by an unanimous vote of the councilmen present at the meeting. (Town Ord. 8 § 2, 1899)

3.56.030 Temporary members of finance committee.

For the purpose of auditing bills the mayor shall have power to appoint other members of the council in the finance committee to act temporarily in place of absent members. (Town Ord. 8 § 3, 1899)

SWMC 3.60
 Council Committee: _____
 Staff support: _____

3.60.010 Fees designated.

The city is authorized to collect fees for certain police department and fire department reports or services, as follows:

		Fee
1.	Service Record check (includes clearing letter for visa, passport, etc.)	per name \$10.00
2.	Fingerprint cards (including applicants for concealed weapons permits)	up to 2 cards 10.00 each additional card 3.00
3.	Annual report	per report 15.00
4.	Traffic accident or fire incident report	Up to 2 pages 5.00 3-20 pages 10.00 each additional page .50
5.	Traffic accident or fire incident witness statements	Per statement 4.00
6.	Offense/incident case reports	Per report (up to 20 pages) 10.00 Each additional page .50
	A. Statements	Per statement 4.00
7.	Photographs (copies) minimum fees: up to 8 × 10 (cost of photos will be not less than the cost to the city for reproduction)	first copy black/white 7.00 color 9.00 additional copy black/white 2.00 color 4.00 extra negatives black/white 3.00 color 4.00
8.	Consultation and/or examination of physical evidence by police department or fire department personnel at police department or fire department	per person 30.00 per hour* *(minimum \$10.00)
9.	Research and retrieval fee (reports, statements photographs over 1 year old)	per item 30.00

(Ord. 1203 § 2, 1994)

SWMC 3.64
Council Committee: _____
Staff support: _____

Chapter 3.64

CHECK-HANDLING CHARGE

Sections:

- 3.64.010 Established.**
- 3.64.020 Assessment authority.**

3.64.010 Established.

There is established a check-handling charge for all checks or drafts payable to the city, which are dishonored for payment by the bank or institution upon which said checks or drafts are drawn, which check-handling charge shall be the sum of fifteen dollars. (Ord. 1081 § 1, 1989)

3.64.020 Assessment authority.

The city clerk-treasurer is authorized and directed to assess the check-handling charge in addition to, and as part of, the payment or obligation due or made to the city for which the dishonored check or draft was issued. (Ord. 1081 § 2, 1989)

SWMC 5.04
Council Committee: _____
Staff support: _____

Chapter 5.04

BUSINESS LICENSES*

Sections:

- 5.04.010 Definitions.
- 5.04.020 Purposes.
- 5.04.030 License fees.
- 5.04.040 Procedure for obtaining license.
- 5.04.050 Examinations of business premises.
- 5.04.055 Fire inspection certificates.
- 5.04.060 Penalties.
- 5.04.070 Additional remedies.
- 5.04.080 License—Compliance—Revocation.
- 5.04.090 License—Needed for defense.
- 5.04.320 Public utilities.
- 5.04.330 Unpaid license fee.
- 5.04.360 Exemptions.
- 5.04.380 Publishers.
- 5.04.420 Duties of the city clerk.

* Prior ordinance history: 373, 376, 391, 403, 509, 595, 598, 605, 865, 880, 948, 949, 950, 960, 966, 972 and 978.

5.04.010 Definitions.

The following terms when used in this chapter shall have the meanings designated below:

A. "Person" means all individuals, partnerships, domestic and foreign corporations, associations, syndicates, joint ventures, and societies transacting and carrying on any business in the city of Sedro-Woolley, Washington.

B. "Business" means professions, trades, occupations, shops and all and every kind of calling, but not including, however, the following:

1. Suppliers who do not have a place of business in the city and those engaged solely in wholesale selling to licensed retailers;
2. Any person whose income is based solely on an hourly, daily, weekly, monthly or annual wage or salary;
3. Any person transacting and carrying on any business which is exempt from a license fee by virtue of the Constitution of the United States, the Constitution of the state of Washington, or the laws of the United States or the state of Washington;
4. Vendors in a temporary bazaar or community fair for which a master license has been given to the sponsor thereof;
5. Rental or lease of real property by an owner, provided that the owner of any structure on real property shall obtain a fire inspection certificate for each property from the Sedro-Woolley fire department if required by this chapter; and provided that any business on the property shall, if otherwise required by Section 5.40.030, obtain a business license. Rentals with added services, including but not limited to hotels, motels, storage facilities, and bed-and-breakfasts, shall obtain a business license;
6. Businesses and organizations which have IRS 501(c)(3) nonprofit tax status, for activities within the scope of their IRS 501(c)(3) purpose, provided that:

- a. The organization fill out an information form and provide proof of IRS 501(c)(3) status to the satisfaction of the city clerk,
 - b. The activity shall not include the sale of food, beverages, cigarettes, or gambling, and
 - c. The owner of property used for this exempt purpose shall obtain a fire inspection certificate if required by this chapter.
- C. The agent or agents of a nonresident proprietor engaged in a business for which a license is required by this chapter shall be liable for the payment of the fee thereon as herein provided and for the penalties for failure to pay the same or to comply with the provisions of this chapter to the extent and with like effect as if such agent or agents were themselves proprietors. (Ord. 1422-02 § 1, 2002; Ord. 1192 § 1 (part), 1993)

5.04.020 Purposes.

- A. To provide revenue for municipal planning, policing, and regulatory purposes and to provide revenue to pay for the necessary expense required to issue the license for and to regulate the businesses licensed.
- B. The license fees levied by this chapter shall be independent and separate from any license or permit fees now or hereafter required of any person to engage in any business by any ordinance of the city, regulating any business herein required to be licensed, and all such businesses shall remain subject to the regulatory provisions of any such ordinances or ordinances now or hereinafter in effect, and the persons engaged in all such businesses shall be liable for the payment of any license fees for which provision has been made herein.
- C. The levy or collection of a license fee upon any business shall not be construed to be a license or permit of the city to the person engaged therein to engage therein, in the event such business shall be unlawful, illegal, or prohibited by the ordinance of the city or the laws of the state or the United States. (Ord. 1192 § 1 (part), 1993)

5.04.030 License fees.

- A. No person shall engage in business in the city without first having applied for, paid for and obtained the license therefore for the current year, as provided herein, and without having first complied with any and all applicable provisions of this chapter.
- B. Class 1: each person engaged in the following business in the city shall pay an annual basic license fee of seventy-five dollars:
 - 1. Banks;
 - 2. Building materials and supplies companies;
 - 3. Bus companies;
 - 4. Canneries, except custom canneries;
 - 5. Department stores, major;
 - 6. Food processors;
 - 7. Grocery stores, supermarket type, having over three thousand square feet;
 - 8. Manufacturing—large, over twenty-five employees;
 - 9. Motor freight and transfer companies;
 - 10. New car dealers having used car lots;
 - 11. Railroad companies;
 - 12. Savings and loan associations;
 - 13. Soft drink manufacturers and/or bottlers;
 - 14. Title insurance companies;
 - 15. Theaters;
 - 16. Wholesale petroleum products dealers;
 - 17. Billboards.
- C. Class 2: all persons engaged in the business in the city not included in Class 1 shall pay an annual basic license fee of thirty-five dollars.
- D. Businesses located outside the city limits making retail sales and deliveries within the city limits, businesses located outside the city limits engaged in sales or service within the city limits, vending machine operators, and peddlers and solicitors will pay the annual Class 2 business license fee herein as well as any other required fees.
- E. The license fee herein required shall be due and payable on January 1st of each year for the year commencing and shall be delinquent on and after the following March 1st of each year. Licenses for persons engaging in any business after January 1st in any year shall be due and payable upon such person engaging in such business and shall be delinquent if not paid within ten days thereafter; provided, however, that persons engaging in

any such businesses for the first time, after July 1st of any year, shall pay only fifty percent of the annual fee for the remainder of the license year.

F. Each branch establishment or separate location of a business conducted by any person shall, for the purpose thereof, be a separate business and subject to the license therefore provided for herein.

G. If any person be engaged in operating or carrying on in the city more than one business, then such person shall pay the license herein prescribed for as many of said businesses as are carried on by such person.

H. The license year shall commence on January 1st of each year, and shall terminate at midnight on December 31st of the year. (Ord. 1422-02 § 2, 2002; Ord. 1408-01 § 1, 2001; Ord. 1192 § 1 (part), 1993)

5.04.040 Procedure for obtaining license.

A. All licenses shall be issued by the city clerk. Normally, such licenses shall be issued within seven days of the date application is made. Provided, however, when, in the opinion of the city clerk, there exists sufficient question regarding the appropriateness of approving an application, said application shall be considered by the city council at its next regularly scheduled meeting. All licenses and permits are subject to revocation at any time by the council for cause.

B. The application for such license shall contain the following information:

1. The name of the applicant, with a statement of all persons having an interest in said business, either as proprietors or owners of said business;
2. The location of the place where the business is conducted;
3. A description of the trade, shop, business, profession, occupation or calling to be carried on within the city;
4. The amount of money tendered with the application;
5. The date of the application;
6. The signature of the applicant.

C. No license issued to do business within the limits of the city shall be transferable. Only the individuals to whom the license is issued shall be eligible to operate on that license.

D. The city clerk shall issue a license only after payment of the full fee. All persons operating on or doing business under license of the city shall, at all times, keep such license either on their person or properly displayed while so operating within the city limits.

E. Issuance of a business license shall not relieve the applicant from the need to comply with all other applicable city ordinances. (Ord. 1192 § 1 (part), 1993)

5.04.050 Examinations of business premises.

City officials shall have the authority to investigate and examine all places of business licensed or subject to license under this chapter at any reasonable time for the purpose of determining whether such place of business is complying with the provisions of the chapter. (Ord. 1192 § 1 (part), 1993)

5.04.055 Fire inspection certificates.

A. The owner of nonresidential, commercial, industrial, or multifamily residential structures on real property shall obtain a fire inspection certificate for each property from the Sedro-Woolley fire department and fill out an informational form to the satisfaction of the city clerk.

B. For purposes of this chapter, multifamily residential rental property shall be defined as a building containing four or more dwelling units or a single dwelling unit in a building used primarily for nonresidential purposes. Hotel, motel, and "bed and breakfast" facilities shall be considered commercial facilities.

C. The owner of the real property shall be primarily responsible for obtaining the fire inspection certificate; however, the tenant or lessee may obtain the fire inspection certificate for the owner, as the owner's agent. (Ord. 1422-02 § 3, 2002)

5.04.060 Penalties.

A. It is unlawful for any person to wilfully make any false or misleading statement to the city clerk for the purpose of determining the amount of any license fee herein provided to be paid by any such person, or to fail or refuse to comply with any of the provisions of this chapter to be complied with, or to fail or refuse to pay before the same shall be delinquent any license fee or penalty hereby required to be paid by any such person.

B. In the event any person required to obtain a license shall fail or neglect to obtain the same before it shall become delinquent, the city clerk shall collect, upon payment therefor, in addition thereto, a penalty of ten percent of the fee therefor for each calendar month or fraction thereof that the same shall be delinquent.

C. Nothing herein contained shall be taken or construed as vesting any right in any license as a contract obligation on the part of the city as to the amount of the fee hereunder. Other or additional taxes or fees and the fees herein provided for may be increased or decreased and additional or other fees provided for and levied in any and all instances at any time by the city.

D. The conviction of any person for violation of any of the provisions of this chapter shall not operate to relieve such person from paying any fee or penalty thereupon for which such person shall be liable, nor shall the payment of any such fee be a bar to or prevent prosecution in the city court of any complaint for the violation of any of the provisions of this chapter.

E. Any person violating any of the provisions hereof shall, upon the conviction thereof, be punished by a fine not to exceed one thousand dollars, or by imprisonment for a term not exceeding one year or by both such fine and imprisonment. Each day any person shall conduct any business within the city for which a license or tax is hereby required without having paid the license fee shall constitute a separate offense.

F. All persons, firms and corporations who perform labor, services and construction within the city (as provided in Rule II, WAC 458-20-145), shall report the city "Location Code Number 2908" on their excise tax returns to the state of Washington, Department of Revenue. On any violation hereof, the amount of local sales and use taxes due the city shall be paid to the city by the violator, together with a penalty of one hundred percent in addition to all other penalties, fines and remedies provided in this chapter. (Ord. 1192 § 1 (part), 1993)

5.04.070 Additional remedies.

A. In addition to the penalties provided in this chapter and as separate and distinct remedies, the city may sue in any court of competent jurisdiction to obtain a judgment and enforce collection thereof by execution for any license fee or tax due under this chapter.

B. The city may seek an injunction prohibiting a person from engaging in any unlicensed business.

C. In any action or suit authorized by this section, the city, if it prevails, shall recover a reasonable attorney's fee to be set by the court, in addition to its costs and disbursements. (Ord. 1192 § 1 (part), 1993)

5.04.080 License—Compliance—Revocation.

Every license shall be taken and held subject to all of the ordinances and police regulations of the city existing at the time of the issuance thereof, and also subject to revocation by the city council at their discretion at any time upon refunding the price paid, proportionately for the unexpired term of such license; and upon conviction of any license for the violation of any ordinance regulating the licensed business, the city council shall have power to revoke the license without notice and without repayment of the unearned portion of the license fee, whereupon the license shall be forfeited. The conditions contained in this section shall constitute a part of each license issued by the city. (Ord. 1192 § 1 (part), 1993)

5.04.090 License—Needed for defense.

Upon the trial of any action brought for the violation of any license ordinance of the city, the defendant shall be deemed not to have procured or have in force the required license unless he produces such license in court and proves that the same has been properly issued and the fee therefor paid, and in any such action the fact that the defendant has represented himself as engaging in any business or calling for which a license is required shall be conclusive evidence of the liability of the defendant to pay for such license and procure the issuance thereof. (Ord. 1192 § 1 (part), 1993)

5.04.320 Public utilities.

A. After the effective date of the ordinance codified in this section, no person, firm or corporation shall engage in or carry on any business, occupation, act or privilege for which a tax is imposed by subsection B of this section without first having obtained, and being the holder of, a license to do so, to be known as an occupation license. Each such person, firm or corporation shall promptly apply to the city clerk for such license upon such forms as the clerk prescribes, giving such information as the clerk deems reasonably necessary to enable said clerk's office to administer and enforce this section; and, upon acceptance of such application by the clerk, the clerk shall thereupon issue such license to the applicant. Such occupation license shall be personal and nontransferable and shall be valid as long as the licensee continues in said business and complies with this section.

B. From and after the effective of the ordinance codified in this section, there is levied upon, and shall be collected from, every person, firm or corporation engaged in carrying on the following business for hire or for sale of a commodity or a service within or partly within the corporate limits of the city, the tax for the privilege of so doing business as hereinafter defined:

1. Upon any cable television business, there shall be levied a tax equal to six and one-half percent of the total gross subscriber revenues from business in the city.

2. There is levied a tax on the sale, delivery or distribution of electricity and electrical energy, and for the privilege of carrying on said business such tax shall be equal to six and one-half percent of the total gross revenue derived from sales of such electricity to ultimate users within the city; provided, however, that there shall not be any tax levied for the installation charges of electrical units; and provided further, that the rate of tax shall be revised as follows:

Revised Date of Rate Revision	Revised Rate
October 31, 1982	6.4%
October 31, 1983	6.3%
October 31, 1984	6.2%
October 31, 1985	6.1%
October 31, 1986	6.0%

3. There is levied a tax on the sale, delivery, distribution or furnishing of natural gas for domestic, business or industrial consumption, and for the privilege of carrying on said business such tax shall be equal to six and one-half percent of the total gross income from such business in the city; provided, however, that there shall not be any tax levied for installation charges of gas energy units; and provided further, that the rate of tax shall be revised as follows:

Effective Date of Rate Revision	Revised Rate
October 31, 1982	6.4%
October 31, 1983	6.3%
October 31, 1984	6.2%
October 31, 1985	6.1%
October 31, 1986	6.0%

C. The tax imposed by this section shall be due and payable in quarterly installments and remittance shall be made on or before the thirtieth day of the month next succeeding the end of the quarterly period in which the tax accrued, such quarterly periods being, as follows:

1. First quarter: January, February, March;
2. Second quarter: April, May, June;
3. Third quarter: July, August, September;
4. Fourth quarter: October, November, December.

This section shall be effective January 1, 1982, and the first payment made under this section shall be made on or before April 30, 1982, for the first quarter. On or before said due date, the taxpayer shall file with the city clerk a written return upon such form and setting forth such information as the clerk reasonably requires, together with payment of the amount of the tax.

D. In computing the tax, there shall be deducted from gross operating revenues, the following items:

1. The amount of credit losses and uncollectibles actually sustained by the taxpayer;
2. Amounts derived from transactions in interstate or foreign commerce or from any business which

the city is prohibited from taxing under the Constitutions of the United States or the state.

E. Each taxpayer shall keep records reflecting the amount of his gross operating revenues, and such records shall be open at all reasonable times to the inspection of the city clerk or her duly authorized subordinates for verification of said tax returns or for the fixing of the tax of a taxpayer who fails to make such returns.

F. If any person, firm or corporation subject to this section fails to pay any tax required by this section within thirty days after the due date thereof, there shall be added to such tax a penalty of one percent per month of the amount of such tax, and any tax due under this section and unpaid and all penalties thereon shall constitute a debt to the city and may be collected by court proceedings, which remedy shall be in addition to all other remedies.

G. Any money paid to the city through error or not otherwise in payment of the tax imposed by this section or in excess of such tax, upon request of the taxpayer, shall be credited against any tax due or to become due

from such taxpayer under this section or, upon the taxpayer ceasing to do business in the city, shall be refunded to the taxpayer.

H. Any person, firm or corporation subject to this section who fails or refuses to apply for an occupation license or to make the required tax returns or to pay the tax when due, or who makes any false statement or representation in or in connection with any such application for an occupation license or such tax return, or otherwise violates or refuses or fails to comply with this section, is guilty of a misdemeanor and, upon conviction thereof, shall be punished by a fine of not to exceed three hundred dollars or by imprisonment in the city or county jail for a term of not to exceed ninety days, or by both such fine and imprisonment. (Ord. 1192 § 1 (part), 1993)

5.04.330 Unpaid license fee.

Any license fee or tax which shall become due and owing to the city, whether imposed by this chapter or any other license ordinance, shall constitute and remain an indebtedness due and owing to the city until paid and the same may be collected in any civil action. (Ord. 1192 § 1 (part), 1993)

5.04.360 Exemptions.

Any person paying a business and occupation tax to the city under the terms of Ordinance No. 382, or under the terms of future ordinances of the city shall be exempt from the payment of any license or tax under this chapter during the year or years covered by such other ordinances. (Ord. 1192 § 1 (part), 1993)

5.04.380 Publishers.

Publishers of newspapers, periodicals or any other publications, may, in lieu of procuring any license provided for in this chapter, pay to the city a sum of money equal in amount of the appropriate license fee set forth in Section 5.04.030, and upon payment thereof, shall be exempt from the requirements of this chapter, such exemption to apply for one calendar year, and to be renewable from year to year upon additional payment of the sum. (Ord. 1367-00 § 1, 2000; Ord. 1192 § 1 (part), 1993)

5.04.420 Duties of the city clerk.

The city clerk shall keep full and accurate records of all funds received under the provisions of this chapter. Upon receipt of any license fee or penalties collected under the provisions of this chapter, he shall deposit the same with the city treasurer to the credit of the current expense fund.

It shall be the duty of the city clerk to require all parties engaging in any business activity to procure such license, and should there be any license fee not paid by any person, it shall be the duty of the city clerk to enforce collection thereof in the manner provided in this chapter. (Ord. 1192 § 1 (part), 1993)

SWMC 5.08
Council Committee: _____
Staff support: _____

Chapter 5.08

AMUSEMENT DEVICES, VENDING MACHINES, MUSIC MACHINES

Sections:

- 5.08.010 Definitions.
- 5.08.020 Master license—Music machines.
- 5.08.030 Amusement devices.
- 5.08.040 Food and beverage machines.
- 5.08.050 Cigarette and tobacco vending machines.
- 5.08.060 Machines in owner’s place of business.
- 5.08.070 Assignment of license.
- 5.08.080 License—Application.
- 5.08.090 License—Issuance.
- 5.08.100 Seizure of unlicensed machine.
- 5.08.110 Minors operating.
- 5.08.120 Allowing minors to operate.
- 5.08.130 Limit on number of machines.
- 5.08.140 Permitting unlicensed machine on premises.
- 5.08.150 License fee a civil debt.
- 5.08.160 License—Revocation.
- 5.08.170 Revocation for violations.
- 5.08.180 License revocation—Hearing.
- 5.08.190 Gambling not permitted.
- 5.08.200 Moving machines.
- 5.08.210 Penalties.
- 5.08.220 Financial statement to accompany license application.

5.08.010 Definitions.

“Distributor” as used herein means any person, firm or corporation who leases, rents to, or places with others within this city any machine or device operated by a coin or coins, or other valuable consideration, for playing music or other records, amusement devices, cigarette and tobacco vending machines, and candy or other merchandise vending machines.

“Operator” as used herein, means any person, firm or corporation who in this city possesses, exhibits for use, play, or operation any machine or device mentioned in this chapter, not owned by such person, firm or corporation.

“Owner and operator,” means use, play, or operation, any such machine or devices owned by him. (Ord. 568 §§ 1, 2, 1956)

5.08.020 Master license—Music machines.

No distributor of any machine operated by coin or payment of money for playing music, reproducing voices or sound, or reproducing pictures or visual objects, shall lease or place any such machine or device with any operator in any building or place in this city, or operate the same himself, without first securing a master license therefor from the city clerk at a cost of one hundred fifty dollars per calendar year, or the calendar year remaining

from the day the license is secured. Such master license shall allow the distributor to place not to exceed ten machines in the city under the master license, but for all machines over ten he shall pay fifteen dollars each. (Ord. 568 § 3, 1956)

5.08.030 Amusement devices.

No distributor of any machine or device operated by coin or payment of money for providing amusement, including machines or devices for playing bingo, in-line, or pinball machines, iron claw machines, cranes, shuffleboards, miniature bowling games and shooting galleries or other similar type machines or devices, shall lease or place the same with any operator, or in any building or place in this city, or operate the same himself, without first securing from the city clerk a master license therefor at a cost of two hundred fifty dollars per calendar year, or the calendar year remaining from the day the license is secured, which shall entitle the distributor to place not to exceed ten machines or devices within the city. The distributor shall also pay the sum of two hundred fifty dollars per year for each ten or fractional part of ten machines over the initial ten machines covered by the master license. (Ord. 568 § 4, 1956)

5.08.040 Food and beverage machines.

No distributor of any machine or device operated by coin or payment of money for vending candy, beverages, nuts, fruit or other similar type merchandise, not including tobacco or tobacco products, shall lease or place the same in this city, or operate the same himself, without first securing a master license there for from the city clerk at a cost of twenty-five dollars per calendar year, or the calendar year remaining from the day the license is secured. In addition the distributor shall pay to the city clerk the sum of two dollars per machine for all machines over fifteen permitted under the master license. (Ord. 568 § 5, 1956)

5.08.050 Cigarette and tobacco vending machines.

No distributor of any machine operated by coin or the payment of money for vending cigarettes, cigars, cigarillos, snuff, or other tobacco products, shall lease or place the same to any operator within this city without first securing from the city clerk a master license therefor at a cost of twenty-five dollars per calendar year, or the calendar year remaining from the day the license is secured. In addition the distributor shall pay to the city clerk the sum of five dollars for each machine over the fifteen permitted under the master license. (Ord. 568 § 6, 1956)

5.08.060 Machines in owner's place of business.

Any individual who owns and operates machines and devices in a place of business owned by him or under his control, shall not be required to procure the master licenses herein provided for, but he shall pay, for each machine or device owned and operated by him, an annual license fee, as follows:

- A. Music machines, fifteen dollars each;
- B. Amusement devices, twenty-five dollars each;
- C. Candy, merchandise, and beverage machines, two dollars;
- D. Cigarette and tobacco vending machines, five dollars each. (Ord. 571 § 1, 1956; Ord. 568 § 7,

1956)

5.08.070 Assignment of license.

No licenses issued under this chapter shall be transferred or assigned to any third party, but the sale of a building or business in which licensed machines are in operation shall not require payment anew for licensed machines. (Ord. 568 § 8, 1956)

5.08.080 License—Application.

Applications for licenses shall be made to the city clerk on forms required by him, giving information as to the name, place of business, and other information about the applicant which may be required. (Ord. 568 § 9, 1956)

5.08.090 License—Issuance.

Individual licenses for each licensed machine shall be furnished to distributors by the city clerk, and all machines in operation must at all times have a duly authorized and issued license attached to them in a conspicuous place. Such individual licenses shall be numbered, bear the name of the distributor, date of issue, expiration date, and other pertinent information. (Ord. 568 § 10, 1956)

5.08.100 Seizure of unlicensed machine.

Any machine or device herein mentioned not bearing an individual machine license, found in operation, or found in any place of business or other place in this city, open to the public, or portions of the public, is hereby declared to be contraband, and shall be seized by any police officer of this city, and sold or destroyed. Nothing contained in this chapter shall apply to machines held in a warehouse or storage pending distribution, and not being operated, or to a machine in transit to a place of operation, or to machines being demonstrated by distributors to prospective lessees in the usual course of business. (Ord. 568 § 11, 1956)

5.08.110 Minors operating.

No person under the age of eighteen years shall operate any amusement device mentioned in Section 5.08.030, or cigarette and tobacco vending machine mentioned in Section 5.08.050. (Ord. 809 § 15 (part), 1975: Ord. 568 § 12, 1956)

5.08.120 Allowing minors to operate.

No operator, owner and operator, distributor, or other person having any amusement device mentioned in Section 5.08.030 or cigarette and tobacco vending machine mentioned in Section 5.08.050 in his possession, in his place of business or amusement, or under his control, shall permit any person under the age of eighteen years to operate the same. (Ord. 809 § 15 (part), 1973: Ord. 568 § 13, 1956)

5.08.130 Limit on number of machines.

Not to exceed three machines of types authorized under any master license may be placed or operated in any one place of business or amusement. (Ord. 568 § 14, 1956)

5.08.140 Permitting unlicensed machine on premises.

No owner and operator, or operator, shall permit any unlicensed machine or device herein mentioned to be placed or operated in his place of business. (Ord. 568 § 15, 1956)

5.08.150 License fee a civil debt.

The license fees provided in this chapter shall be a civil debt to the city, owed by the person or persons liable under the provisions of this chapter, and may be collected by civil action as a remedy in addition to other remedies and penalties provided in this chapter. (Ord. 568 § 16, 1956)

5.08.160 License—Revocation.

Any master or individual license issued under this chapter may be revoked by the city council without cause and without notice, at any time, in which case the licensee may secure a refund of license fees paid in, prorated according to the expired and unexpired portions of the calendar year in which revocation is made. (Ord. 568 § 17, 1956)

5.08.170 Revocation for violations.

Any master or individual license issued under this chapter may be revoked by the city council for violation of any of the provisions of this chapter by any operator, owner and operator, or distributor, in which case refund or unexpired term of the license shall not be made. (Ord. 568 § 18, 1956)

5.08.180 License revocation—Hearing.

When complaint is made against a distributor or operator for violations of this chapter justifying a revocation of license for cause, a hearing shall be held by the city council at a regular or special meeting upon the complaint, and at such hearing the distributor or operator against whom the complaint is made shall have the right to appear in his own defense. He shall be given at least five days' notice of the hearing by writing addressed to him and mailed to him at least five days prior to the day of hearing, at his address given upon his application for license. (Ord. 568 § 19, 1956)

5.08.190 Gambling not permitted.

Nothing contained in this chapter shall be deemed to permit the distribution or operation of any gambling machine or device as defined by the laws of the state of Washington. (Ord. 568 § 20, 1956)

5.08.200 Moving machines.

Licenses placed upon individual machines or devices shall be for a given location to be specified upon the license, and machines or devices licensed for one location may not be removed to or operated at another location within the city under such license. (Ord. 568 § 21, 1956)

5.08.210 Penalties.

Any person, firm or corporation violating any of the provisions of this chapter shall be guilty of a misdemeanor, and upon conviction thereof shall be punished by a fine of not to exceed three hundred dollars, or by imprisonment in the city jail for not to exceed ninety days, or by both such fine and imprisonment, and such fine and imprisonment may be in addition to penalty of revocation of licenses and destruction of contraband machines, when justified hereunder. (Ord. 568 § 24, 1956)

5.08.220 Financial statement to accompany license application.

No license shall be granted under this chapter to any person not of good moral character and all applicants for licenses shall submit with their applications a financial statement showing financial condition and giving references of good character. Before any licenses are issued, the license committee shall first find that the applicants are of good moral character and of financial stability. In the event the license committee desires, it has the right to require of the applicants further evidence of their financial positions and moral character and the finance committee shall have the right to deny an application to any applicant lacking in the foregoing matters. (Ord. 571 § 2, 1956; Ord. 568 § 26, 1956)

SWMC 5.20
Council Committee: _____
Staff support: _____

Chapter 5.20

PUBLIC DANCES AND DANCE HALLS

Sections:

- 5.20.010 Definitions.**
- 5.20.020 License required.**
- 5.20.030 License fees.**
- 5.20.040 Lighting.**
- 5.20.050 Hours.**
- 5.20.060 Minors attending.**
- 5.20.070 License—Revocation—Transfer.**
- 5.20.080 Penalty for violations.**

5.20.010 Definitions.

As used in this chapter, the term “public dance” means any dance or ball to which the public generally may gain admission with or without the payment of an admission fee. The term “dance hall” means any room, hall, pavilion, building or other structure kept for the purpose of conducting therein public dances or dancing. (Ord. 357 § 1, 1933)

5.20.020 License required.

No person, copartnership or corporation shall hold any public dance or conduct or maintain any dance hall within the city limits, without having first procured from the city clerk a license to do so. Licenses for dance halls shall be issued by the year or by the quarter, as requested by the applicant. A license for a single public dance shall entitle the holder thereof to conduct such dance only on the day and at the place specified in the license. No license shall be granted to any corporation, but if any dance hall be conducted by a corporation the license shall issue to the manager or other directing head thereof. (Ord. 357 § 2, 1933)

5.20.030 License fees.

The fees to be charged for licenses granted under this chapter shall be fifty dollars for a yearly license, fifteen dollars for a quarterly license, and three dollars for a license for a single dance. The city council may issue a permit without charge for patriotic, fraternal or community dances. (Ord. 357 § 3, 1933)

5.20.040 Lighting.

All buildings, halls, rooms, pavilions or other places in which public dances are carried on, as well as all halls, corridors and rooms leading thereto or connected therewith shall at all times while open to the public, be well lighted. (Ord. 1369-00 § 1, 2000; Ord. 357 § 4 (part), 1933)

5.20.050 Hours.

No public dance shall be conducted nor dance hall be kept open between the hours of one a.m. and six a.m., unless a special permit is obtained from the city council. (Ord. 357 § 4 (part), 1933)

5.20.060 Minors attending.

No person under the age of eighteen years shall be permitted to attend any public dance without the escort of his or her parent or guardian. Any person under the age of eighteen years who shall by affirmative misrepresentation of age obtain admission to or permission to remain in any public dance shall be guilty of a misdemeanor. (Ord. 357 § 4 (part), 1933)

5.20.070 License—Revocation—Transfer.

Any license granted under this chapter to conduct a dance hall may be revoked by the city council after a hearing held upon not less than ten days' written notice to licensee, and the action of the city council in revoking any such license shall be final and conclusive. Every licensee accepting a license under this chapter shall be deemed to have consented to the provisions of this section with respect to the cancellation of the license. No license granted under this chapter shall be transferable except by a formal order of the city council, nor shall any dance hall or public dance be conducted at any place other than that specified in the license therefor. (Ord. 357 § 5, 1933)

5.20.080 Penalty for violations.

Any person violating any of the provisions of this chapter shall be deemed guilty of a misdemeanor and upon conviction thereof shall be punished by a fine not exceeding one hundred dollars or by imprisonment in the city jail for a term not exceeding thirty days or both such fine and imprisonment. (Ord. 357 § 6, 1933)

SWMC 5.28
Council Committee: _____
Staff support: _____

Chapter 5.28

TAVERNS

Sections:

- 5.28.010 License required for music or dancing.
- 5.28.020 Music license—Fee.
- 5.28.030 Music and dancing license—Fee.
- 5.28.040 Entertainment permit.
- 5.28.050 License or permit—Application.
- 5.28.060 License or permit—State approval.
- 5.28.070 Inspections.
- 5.28.080 Investigation of complaint.
- 5.28.090 Music and dancing license—Expiration.
- 5.28.100 License or permit—Nontransferable.
- 5.28.110 Penalty for violations.

5.28.010 License required for music or dancing.

It is unlawful for the holder of any retail license or the operator of any tavern operating under license or authority of the Washington State Liquor Control Board within the city limits, as now constituted or hereafter extended, to permit any music, dancing or entertainment, whatsoever, in any licensed premises, without first procuring and having in subsistence a license or permit to do so, issued by the city clerk, under the terms and conditions hereinafter set forth; provided however, that the words “music and entertainment,” as used in this chapter, shall not apply to radios, television sets or mechanical musical devices. (Ord. 586 § 1, 1957)

5.28.020 Music license—Fee.

Any operator desiring to have music in his premises without dancing, shall first procure a music license at a cost of fifty dollars per year. (Ord. 587 § 1 (part), 1957; Ord. 586 § 2, 1957)

5.28.030 Music and dancing license—Fee.

Any tavern operator wishing to conduct dancing in his premises shall first secure a combination music and dancing license at a cost of one hundred dollars per year. (Ord. 587 § 1 (part), 1957; Ord. 586 § 3, 1957)

5.28.040 Entertainment permit.

Any tavern operator desiring to put on any entertainment for his patrons in the nature of a magic show, athletic exhibition, comedy team or the like, shall first procure a permit to do so at a cost of ten dollars for each day such entertainment is to be given; providing, no permit shall be issued for any immoral, obscene, or improper dance, show, or exhibition. (Ord. 587 § 1 (part), 1957; Ord. 586 § 4, 1957)

5.28.050 License or permit—Application.

Before any license or permit provided for in this chapter shall be issued, the tavern operator shall first make application therefor to the city clerk, and he shall accompany his application with a sketch of the floor arrangement of his premises, setting forth the place in his premises, where music, dancing or the entertainment is to be given, and no application shall be approved unless the sketch shows that the music, dancing, or entertainment shall be held in a portion of the premises open to the view of the remainder of the premises, and in a well-lighted and suitable area.

Before issuing a license or permit, the city clerk shall require an inspection and approval of the premises by the police chief. (Ord. 586 § 5, 1957)

5.28.060 License or permit—State approval.

Any license or permit issued under this chapter shall be subject to the approval of the Washington State Liquor Control Board or authorized agent. (Ord. 586 § 6, 1957)

5.28.070 Inspections.

The police chief or policeman on duty shall make inspection of all dances or entertainments held in any tavern under a license issued under this chapter, and see that the same are carried on with all due propriety and order. (Ord. 586 § 7, 1957)

5.28.080 Investigation of complaint.

Upon complaint of any police officer, or any citizen, or upon its own motion, the city council shall investigate any rowdyism or improper conduct alleged to be carried on at any dance or entertainment and issue such corrective orders as may be necessary, or revoke any license or permit granted, if in its judgment, the dancing or entertainment carried on is not carried on in a proper and seemly manner. (Ord. 586 § 8, 1957)

5.28.090 Music and dancing license—Expiration.

Music and dancing licenses provided for in this chapter shall expire on the first of January, following their issuance, and the license fees shall not be prorated for the fractional part of a year. Any license or permit shall be issued for a cost of one-half the annual fee, if issued after July 1st, during any such calendar year. (Ord. 586 § 9, 1957)

5.28.100 License or permit—Nontransferable.

Licenses and permits issued under this chapter will not be transferable and any licensee who retires from or sells his business shall forfeit any licenses or permits issued under this chapter. (Ord. 586 § 10, 1957)

5.28.110 Penalty for violations.

Any person violating any of the provisions of this chapter shall be termed guilty of a misdemeanor and upon conviction thereof, shall be punished by a fine of not to exceed three hundred dollars or be imprisoned in the city jail for not to exceed ninety days, or by both such fine and imprisonment, and for a first conviction all licenses issued to him under this chapter may be revoked, and for a second conviction shall be revoked. (Ord. 586 § 12, 1957)

SWMC 8.32
Council Committee: _____
Staff support: _____

Chapter 8.32

JUMPING ON MOVING TRAINS

Sections:

- 8.32.010 Unlawful acts.**
- 8.32.020 Penalty for violations.**

8.32.010 Unlawful acts.

It is unlawful and is hereby declared to be a misdemeanor for any person other than railroad employees within the city limits to board, climb or jump upon, take hold of, or hang to any moving railway car, coach, or locomotive, or any log truck or other vehicle used by any railway company in transporting freight or passengers, including hand cars. (Town Ord. 19 § 1, 1899)

8.32.020 Penalty for violations.

Any person who shall be convicted of a misdemeanor under the provisions of this chapter shall be fined in any sum not exceeding ten dollars or imprisonment in the city jail not more than five days, or both such fine and imprisonment, and shall be adjudged to pay all costs of the prosecution. (Town Ord. 19 § 2, 1899)

SWMC 10.44
Council Committee: _____
Staff support: _____

Chapter 10.44

STOPPING, STANDING AND PARKING*

Sections:

- 10.44.080 Making business deliveries on Metcalf Street.
- 10.44.090 Painting parking areas.
- 10.44.100 Parking on Metcalf Street.
- 10.44.110 Division into parking stalls.
- 10.44.120 No parking on north side of certain streets.
- 10.44.130 No parking signs on north side of certain streets.
- 10.44.150 Parking while street is posted or barricaded against parking.
- 10.44.160 Parking on Metcalf Street during certain hours.
- 10.44.170 Parking on certain streets during certain hours.
- 10.44.175 No parking on SR 9, SR 20, and Sapp Road.
- 10.44.180 Loitering prohibited in city-owned parking lots.
- 10.44.190 City-owned parking lots to post hours.
- 10.44.200 Presumption as to illegal parking.
- 10.44.210 Infractions, penalty and procedure.

* Prior history: Ords. 365, 459, 601, 804 and 861.

10.44.080 Making business deliveries on Metcalf Street.
It is unlawful for the owner or operator of any motor vehicle to make deliveries of goods, wares and merchandise therefrom to the front entrance of any business establishment on Metcalf Street within the city, if such business establishment has a rear or side entrance upon any other street upon any alley or public place. (Ord. 1243-95 § 1 (part), 1995)

10.44.090 Painting parking areas.
The street superintendent shall keep parking areas painted on either side of Metcalf and Murdock Streets between State Street and the Great Northern Railway, and on State Street, Woodworth and Ferry Streets between Murdock and Eastern Avenues. The parking area on State Street shall be eight feet in width, and on the remaining designated streets shall be thirteen feet in width, extending each distance from each curb outward toward the center of the street. The portion of the street between the parking areas shall be the area reserved for moving traffic, and is designated herein as the traffic area. (Ord. 1243-95 § 1 (part), 1995)

10.44.100 Parking on Metcalf Street.
It is unlawful for the owner or operator of any vehicle to park or stand such vehicle within any of the parking areas on Metcalf Street within the city, if such vehicle is of such length or if it is parked in such manner that it extends more than two feet beyond the limits of the parking area into the traffic area. (Ord. 1243-95 § 1 (part), 1995)

10.44.110 Division into parking stalls.
The street superintendent shall divide with painted parallel lines the parking area on all of the streets except State Street into parking stalls of sufficient width to accommodate an automobile parked at an angle of forty-five degrees with the curb, and it shall be the duty of the owner and/or operator of every motor vehicle parked on the streets above designated upon which parking stalls have been painted under the direction of the street superintendent, to so park such motor vehicle that it shall be parallel with the marginal lines of such parking stalls,

and wholly within the limits of a single parking stall, and with the right front when of such motor vehicle touching the curb. (Ord. 1243-95 § 1 (part), 1995)

10.44.120 No parking on north side of certain streets.

Hereafter no person shall park any automobile, truck, wagon, trailer or other vehicle at any time on the north side any street or highway running east and west, or generally east and west, in the city, where there are curbstones on both sides of the street, and the distance between curbstones is twenty-four feet, or less, measured at right angles. (Ord. 1243-95 § 1 (part), 1995)

10.44.130 No parking signs on north side of certain streets.

The police chief shall erect at least one sign suitably worded on the north side of all streets where parking is forbidden hereby, or in the alternative, or at the same time, cause the curbstone on the north side of such streets to be painted or otherwise marked to indicate that parking is not permitted. (Ord. 1243-95 § 1 (part), 1995)

10.44.150 Parking while street is posted or barricaded against parking.

It is unlawful for any person to park or leave any automobile, motorcycle, bicycle, wagon, team or other vehicle, on any part or portion of any street, alley, sidewalk or other public place in the city, for any period during the time the same may have been blocked off and posted or barricaded against parking by the police, street, fire or other departments of the city, for the purpose of aiding in the cleaning and repairing of, and in aid of the safety of the public on any such street or public place. (Ord. 1243-95 § 1 (part), 1995)

10.44.160 Parking on Metcalf Street during certain hours.

It is unlawful for any person to park or leave any automobile or other vehicle on any part of Metcalf Street in the city, between State Street and Northern Avenue, for any period of time whatsoever on any day between the hours of two a.m. and six a.m. (Ord. 1243-95 § 1 (part), 1995)

10.44.170 Parking on certain streets during certain hours.

It is unlawful for any person to park any motor or other vehicle continuously for longer periods of time, between the following hours, on any of the following streets or portions of streets, except on Sundays and legal holidays:

A. Metcalf Street between State Street and Northern Avenue, between nine a.m. and six p.m., three hours;

B. East side of Murdock between State and Ferry Streets, nine a.m. and six p.m., three hours;

C. West side of Murdock Street between State and Ferry Streets, between nine a.m. and six p.m., except such portion as may be designated by the city council as open for unlimited parking, three hours;

D. State Street between Murdock Street and Eastern Avenue, between nine a.m. and six p.m., except such portion as may be designated by the city council as open for unlimited parking, three hours;

E. Woodworth Street between Murdock Street and Eastern Avenue, between nine a.m. and six p.m., three hours;

F. Ferry Street between Murdock and Eastern Avenue, between nine a.m. and six p.m., except such portions as may be designated by the city council as open for unlimited parking, three hours;

G. North Reed Street between John Liner Road and Sapp Road, between nine a.m. and six p.m., three hours;

H. In the four or other number of parking stalls designated by the city council on the south side of Woodworth Street in front of the post office, fifteen minutes, between nine a.m. and six p.m. (Ord. 1480-04 § 1, 2004; Ord. 1262-96 § 1, 1996; Ord. 1243-95 § 1 (part), 1995)

10.44.175 No parking on SR 9, SR 20, and Sapp Road.

No person shall park any automobile, truck, wagon, trailer or other vehicle at any time on State Route 9 (SR 9) and State Route 20 (SR 20) (including those portions of SR 9 and SR 20 which are also known as North Township Street and Moore Street, respectively), and Sapp Road, within the corporate limits of the city of Sedro-Woolley, except in approved parking spaces which are designated by signage or striping as such. (Ord. 1480-04 § 2, 2004)

10.44.180 Loitering prohibited in city-owned parking lots.

It is unlawful for any person to loiter, gather or otherwise remain in a parking lot owned and/or operated or leased by the city, between the hours of ten p.m. and six a.m. unless otherwise authorized by resolution of the city council. (Ord. 1243-95 § 1 (part), 1995)

10.44.190 City-owned parking lots to post hours.

Each parking lot owned, operated or leased by the city for parking of the public shall have posted the hours of use as designated by resolution of the city council. (Ord. 1243-95 § 1 (part), 1995)

10.44.200 Presumption as to illegal parking.

A. In any prosecution charging a violation of any law, regulation or ordinance governing the stopping, standing or parking of a vehicle, proof that the particular vehicle described in the citation or complaint was stopping, standing or parking in violation of any such law, regulation or ordinance, together with proof that the defendant named in the citation or complaint was at the time of the citation or complaint the registered owner of such vehicle, shall constitute in evidence a prima facie presumption that the registered owner of such vehicle was the person who parked or placed the vehicle at the point where, and for the duration which, such violation occurred.

B. The foregoing presumption shall only apply when the procedure as prescribed in WAC 308-330-720 and 308-330-730, adopted by Chapter 10.04 (Model Traffic Ordinance) has been followed. (Ord. 1243-95 § 2, 1995)

10.44.210 Infractions, penalty and procedure.

Violation of this chapter shall constitute a civil infraction pursuant to RCW Chapter 46.63. The provisions RCW Title 46.63, the applicable Washington Court Rules as established by the Washington Supreme Court, and any applicable local court rules, shall govern the disposition of infractions. The penalty shall be as set forth by local court rule and the Infraction Rules for Courts of Limited Jurisdiction. Washington Court Rules, as adopted by the Washington State Supreme Court, and amendments thereto. (Ord. 1243-95 § 3, 1995)

SWMC 13.16.035

Council Committee: _____

Staff support: _____

TABLE 1
Equivalent Fixture Units

Kinds of Fixture	Units
Bathtubs	2
Bidets	2
Clothes washers, private	2
Clothes washers, commercial	6
Dental units or cuspidors	1
Drinking fountains	1
Floor drains	2
Interceptors for grease, oil, solids, etc.	3
Interceptors for sand, auto wash, etc.	6
Laundry tubs	2
Receptors (floor sinks), indirect waste receptors for refrigerators, coffee urns, water stations, etc.	1
Receptors, indirect waste receptors for commercial sinks, dishwashers, air-washers, etc.	3
Showers, single stalls	2
Showers, gang (per head)	1
Sinks, and/or dishwashers (residential) (2" min. waste)	2
Sinks, bar, commercial	2
Sinks, bar, private	1
Sinks, commercial or industrial, schools, etc., including dishwashers, wash up sinks and wash fountains	3
Sinks, flushing rim, clinic	6
Sinks, service	3
Sinks, service (3" trap)	6
Urinals, pedestal, trap arm only	6
Urinals, stall, separate trap	2
Urinals, wall-mounted, blowout, integral trap 2" trap arm only	3
Urinals, wall-mounted, blowout, integral trap 3" trap arm only	6
Urinals, wall-mounted, washdown or siphon jet, integral trap, trap arm only	2
Urinals, wall-mounted, washdown, separate trap (2" min. waste)	2
Wash basins, in sets	2
Wash basins (lavatories) single	1
Water closet, private installation	4
Water closet, public installation	6

SWMC 16.12.030(d)

Council Committee: _____

Staff support: _____

D. If the director or hearing body concludes that the public interest will be served, the hearing body may, in lieu of requiring the dedication to the public of land in a subdivision for protective improvements, drainage and stormwater ways, streets, alleys, sidewalks, parks and other open space, allow the land to be conveyed to a homeowner's nonprofit maintenance corporation. In that case the applicant shall, at or prior to the time of filing a final plat for approval, supply the director with copies of articles of incorporation and bylaws of the grantee organization and with evidence of the conveyance or of a binding commitment to convey. The articles of incorporation shall provide that membership in the corporation shall be conditioned upon ownership of land in the short plat, that the corporation is empowered to assess the land for costs of construction and maintenance of the improvements and property owned by the corporation, and that the assessment shall be a lien upon the land. The city attorney shall review and approve the articles of incorporation and bylaws as to compliance with this provision. The hearing body may impose other conditions as he or she deems appropriate to assure that property and improvements owned by the corporation will be adequately constructed and maintained.

SWMC 17.04.030

Council Committee: _____

Staff support: _____

20. "Home occupation" means a gainful occupation carried on in a residence in which:
- a. No outside help is employed on the premises;
 - b. The business utilizes no more than twenty-five percent of the gross floor area of the structure in which it is located;
 - c. There is no more than two additional vehicles parked on or in the vicinity of the property due to the business at any one time;
 - d. There are no more than twelve clients or customers visiting per week and there is not more than two clients on the premises at any one time;
 - e. No work areas or storage of materials are visible from off the premises, nor other exterior indication given of anything other than a residence;
 - f. No nuisance is created beyond what would normally be expected in a residential area.

SWMC 17.08.030(c)

Council Committee: _____

Staff support: _____

17.08.030 ***Minimum lot size requirements.***

Minimum lot size requirements in the residential R-5 zone shall be as follows:

A. Lot area: eight thousand four hundred square feet;

B. Lot width at building line: forty feet;

C. Lot frontage on a public street, approved private street, or approved easement: twenty feet. (Ord.

1484-04 § 4 (part), 2004: Ord. 1312-98 § 1 (part), 1998: Ord. 1013 § 2.01.030, 1985)

SWMC 17.12.030(c)

Council Committee: _____

Staff support: _____

17.12.030 Minimum lot size requirements.

Minimum lot size requirements for the residential R-7 zone shall be as follows:

- A. Lot area: six thousand square feet;
- B. Lot width at building line: forty feet;
- C. Lot frontage on a public street, approved private street, or approved easement: twenty feet. (Ord.

1484-04 § 5 (part), 2004; Ord. 1312-98 § 1 (part), 1998; Ord. 1013 § 2.02.03, 1985)

SWMC 17.50.030(c)

Council Committee: _____

Staff support: _____

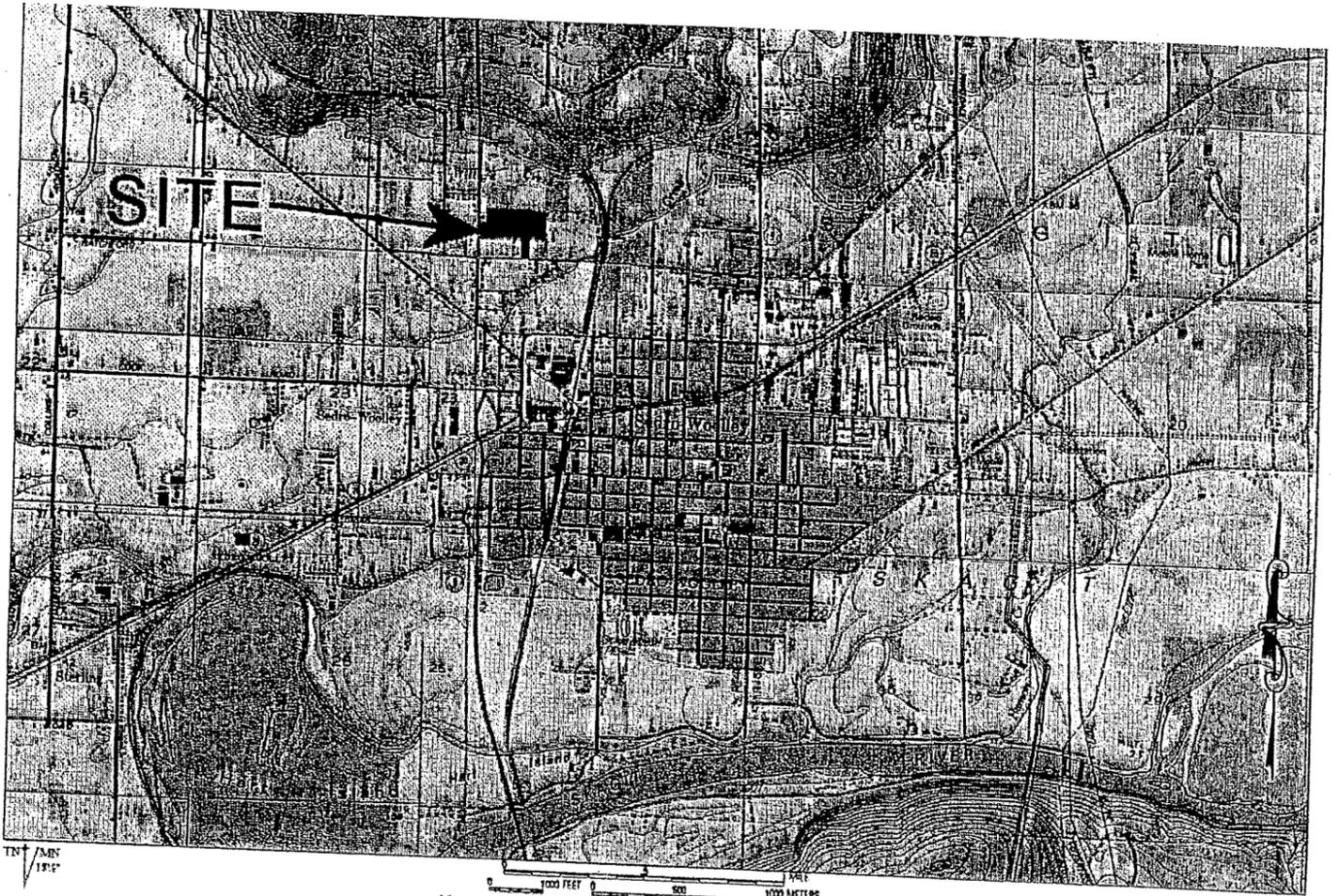
17.50.030 Site landscaping required review.

The planning director and Sedro-Woolley planning commission shall use the Sedro-Woolley design and development guidelines landscaping section as it pertains to that zone as a guide for design and layout when reviewing applications.

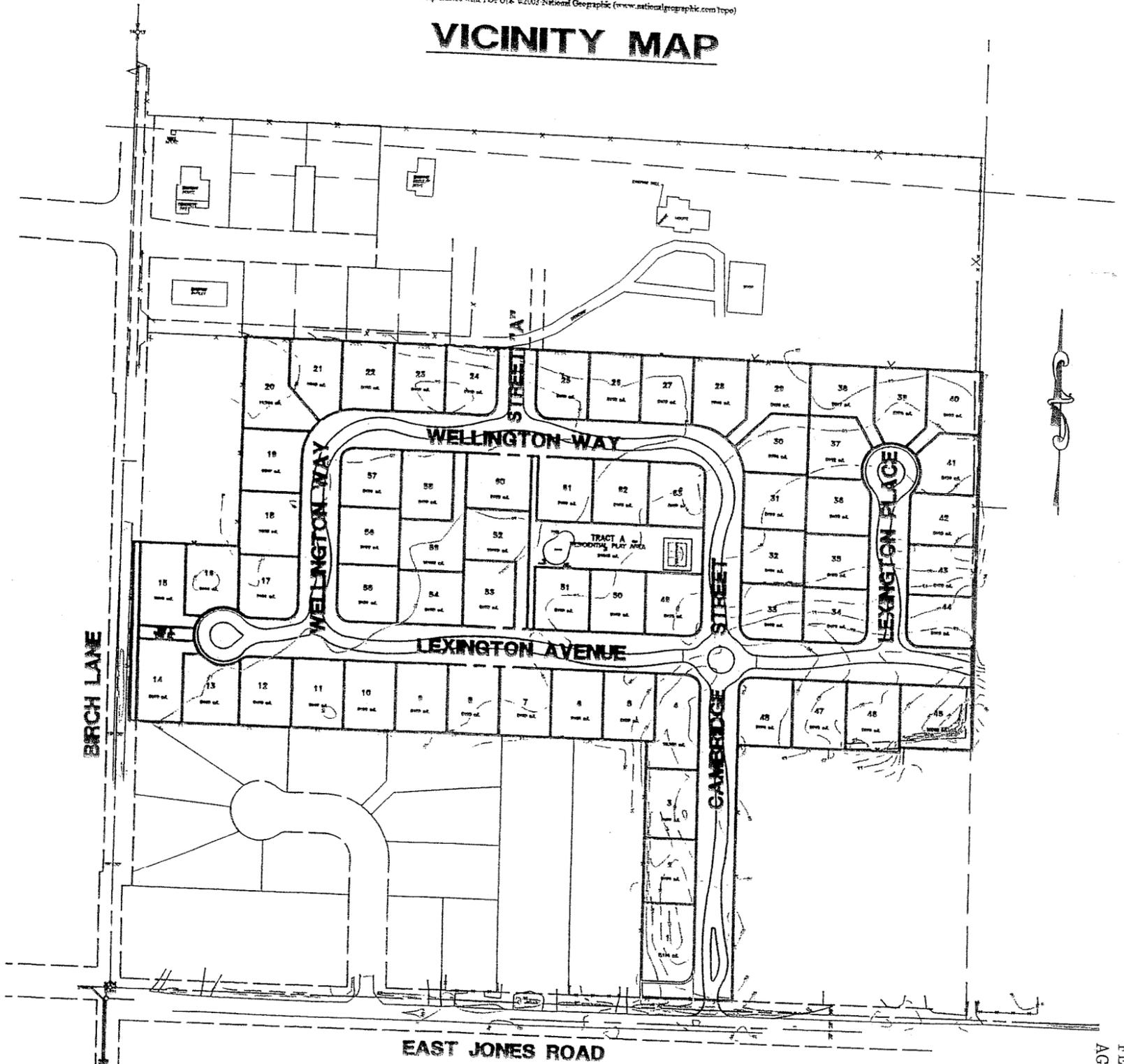
A. The planning department shall review the proposed landscape development with each application within the applicability of this document.

B. The public works department shall review all landscape and irrigation system designs. Irrigation shall be designed in accordance with Skagit PUD #1.

C. The planning commission shall review landscape plans with each application within the context of the design guidelines and surrounding existing landscaping styles in relation to the site for developments exceeding thresholds as listed in SWMC Section 2.88.070. (Ord. 1517-05 § 1 (part), 2005)

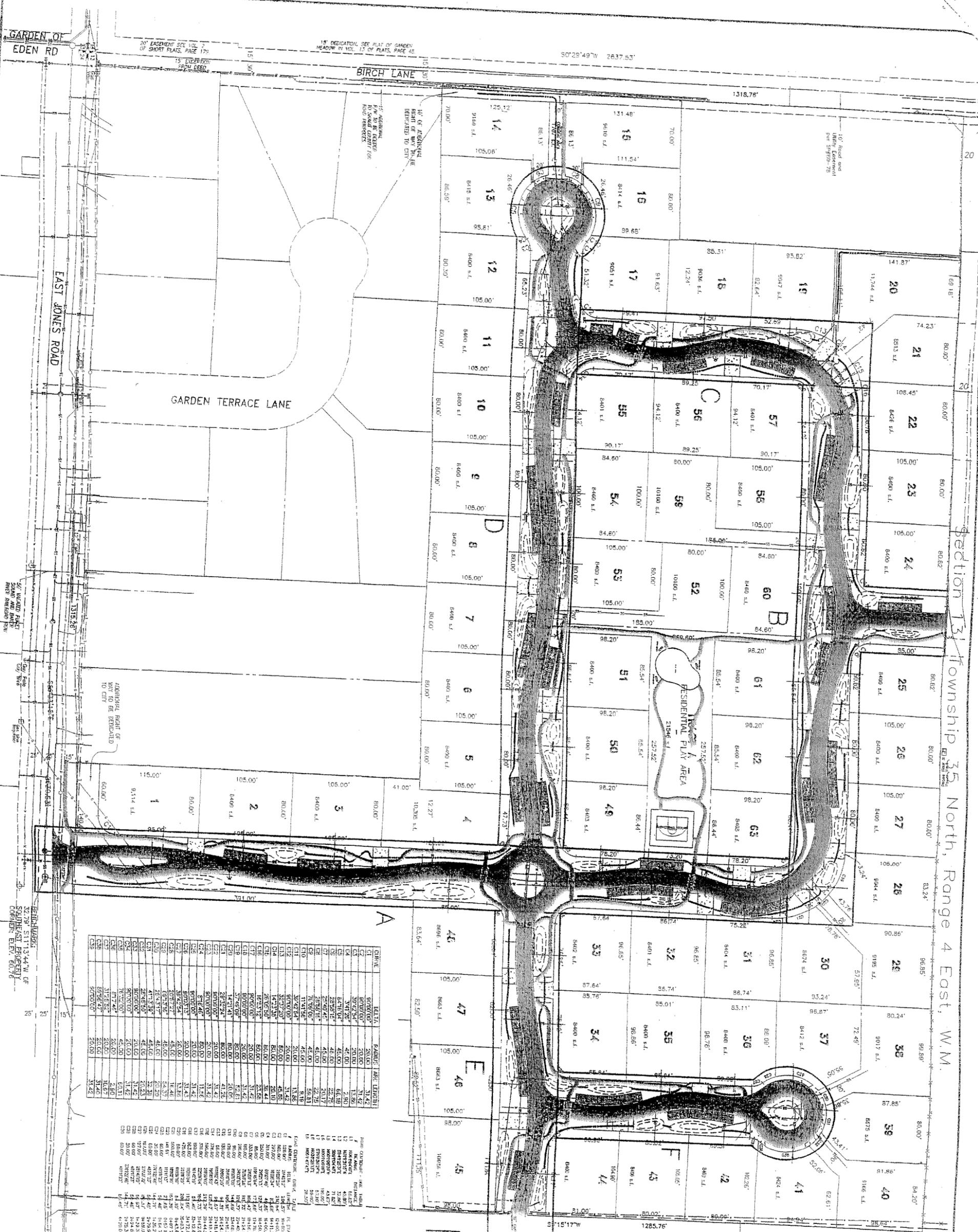


VICINITY MAP



PROJECT SITE PLAN

SCALE: 1" = 200'



GRID	AREA	PERCENT	PERCENT	PERCENT
C1	800.00'	20.00	1.74	
C2	800.00'	20.00	1.74	
C3	800.00'	20.00	1.74	
C4	800.00'	20.00	1.74	
C5	800.00'	20.00	1.74	
C6	800.00'	20.00	1.74	
C7	800.00'	20.00	1.74	
C8	800.00'	20.00	1.74	
C9	800.00'	20.00	1.74	
C10	800.00'	20.00	1.74	
C11	800.00'	20.00	1.74	
C12	800.00'	20.00	1.74	
C13	800.00'	20.00	1.74	
C14	800.00'	20.00	1.74	
C15	800.00'	20.00	1.74	
C16	800.00'	20.00	1.74	
C17	800.00'	20.00	1.74	
C18	800.00'	20.00	1.74	
C19	800.00'	20.00	1.74	
C20	800.00'	20.00	1.74	
C21	800.00'	20.00	1.74	
C22	800.00'	20.00	1.74	
C23	800.00'	20.00	1.74	
C24	800.00'	20.00	1.74	
C25	800.00'	20.00	1.74	
C26	800.00'	20.00	1.74	
C27	800.00'	20.00	1.74	
C28	800.00'	20.00	1.74	
C29	800.00'	20.00	1.74	
C30	800.00'	20.00	1.74	
C31	800.00'	20.00	1.74	
C32	800.00'	20.00	1.74	
C33	800.00'	20.00	1.74	
C34	800.00'	20.00	1.74	
C35	800.00'	20.00	1.74	
C36	800.00'	20.00	1.74	
C37	800.00'	20.00	1.74	
C38	800.00'	20.00	1.74	
C39	800.00'	20.00	1.74	
C40	800.00'	20.00	1.74	
C41	800.00'	20.00	1.74	

GRID	AREA	PERCENT	PERCENT	PERCENT
C1	800.00'	20.00	1.74	
C2	800.00'	20.00	1.74	
C3	800.00'	20.00	1.74	
C4	800.00'	20.00	1.74	
C5	800.00'	20.00	1.74	
C6	800.00'	20.00	1.74	
C7	800.00'	20.00	1.74	
C8	800.00'	20.00	1.74	
C9	800.00'	20.00	1.74	
C10	800.00'	20.00	1.74	
C11	800.00'	20.00	1.74	
C12	800.00'	20.00	1.74	
C13	800.00'	20.00	1.74	
C14	800.00'	20.00	1.74	
C15	800.00'	20.00	1.74	
C16	800.00'	20.00	1.74	
C17	800.00'	20.00	1.74	
C18	800.00'	20.00	1.74	
C19	800.00'	20.00	1.74	
C20	800.00'	20.00	1.74	
C21	800.00'	20.00	1.74	
C22	800.00'	20.00	1.74	
C23	800.00'	20.00	1.74	
C24	800.00'	20.00	1.74	
C25	800.00'	20.00	1.74	
C26	800.00'	20.00	1.74	
C27	800.00'	20.00	1.74	
C28	800.00'	20.00	1.74	
C29	800.00'	20.00	1.74	
C30	800.00'	20.00	1.74	
C31	800.00'	20.00	1.74	
C32	800.00'	20.00	1.74	
C33	800.00'	20.00	1.74	
C34	800.00'	20.00	1.74	
C35	800.00'	20.00	1.74	
C36	800.00'	20.00	1.74	
C37	800.00'	20.00	1.74	
C38	800.00'	20.00	1.74	
C39	800.00'	20.00	1.74	
C40	800.00'	20.00	1.74	
C41	800.00'	20.00	1.74	

RECEIVED
 JAN 29 2007
 CITY OF SEDRO-WOOLLEY
 PLANNING & PERMIT CENTER

APPROVED FOR CONSTRUCTION:
 CITY OF SEDRO-WOOLLEY
 PUBLIC WORKS DEPARTMENT
 CITY ENGINEER

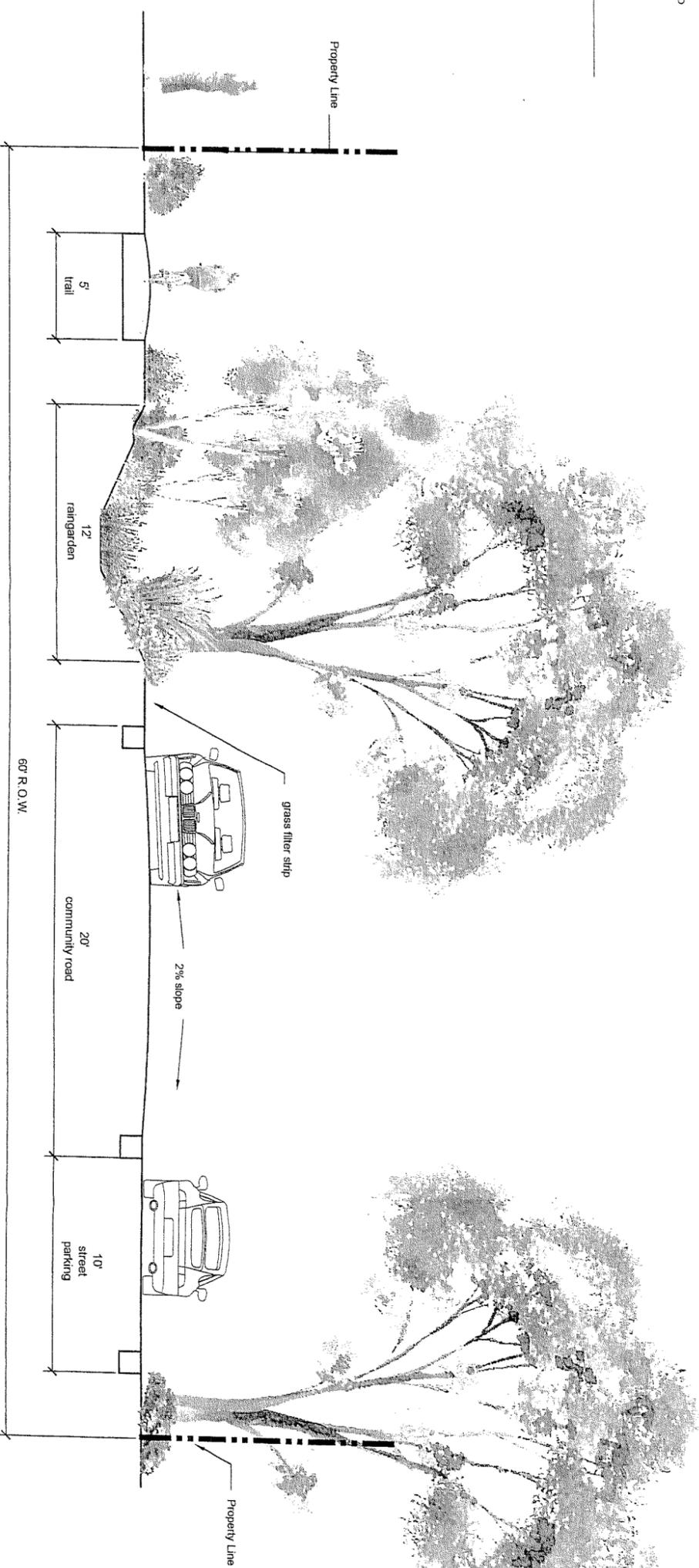
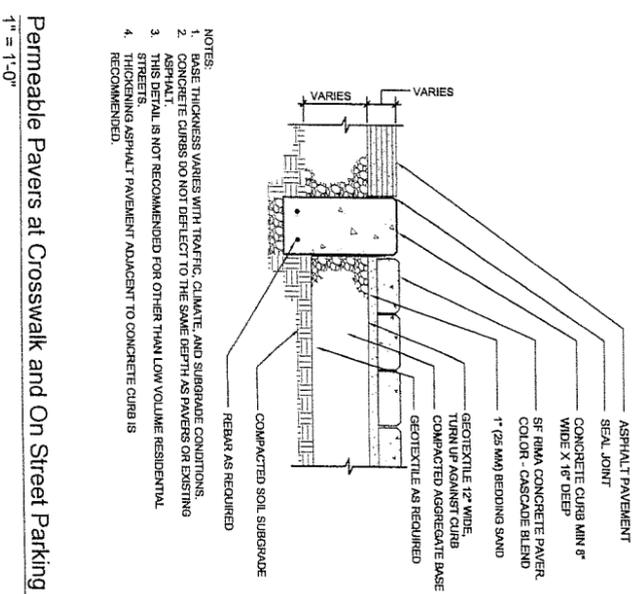
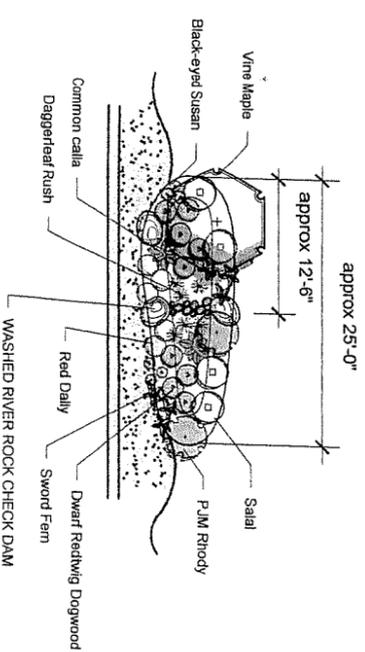
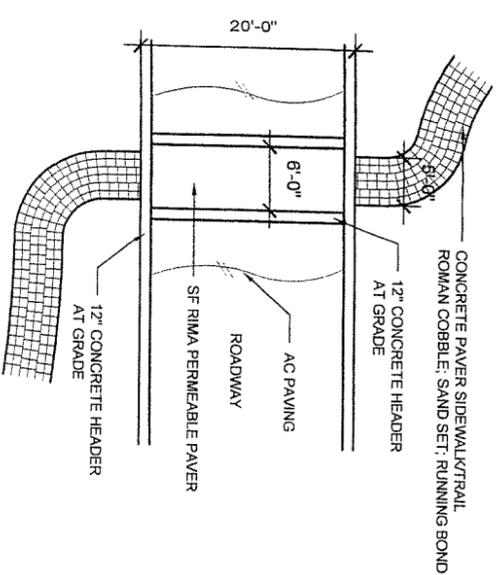
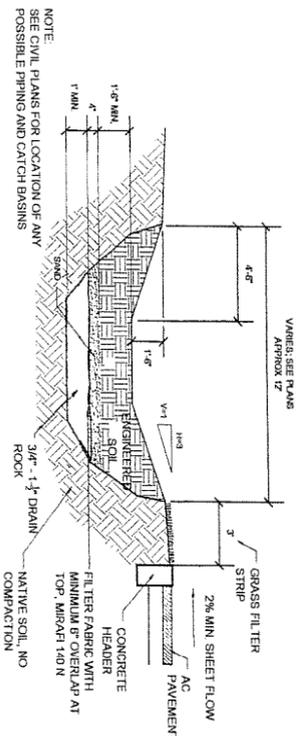
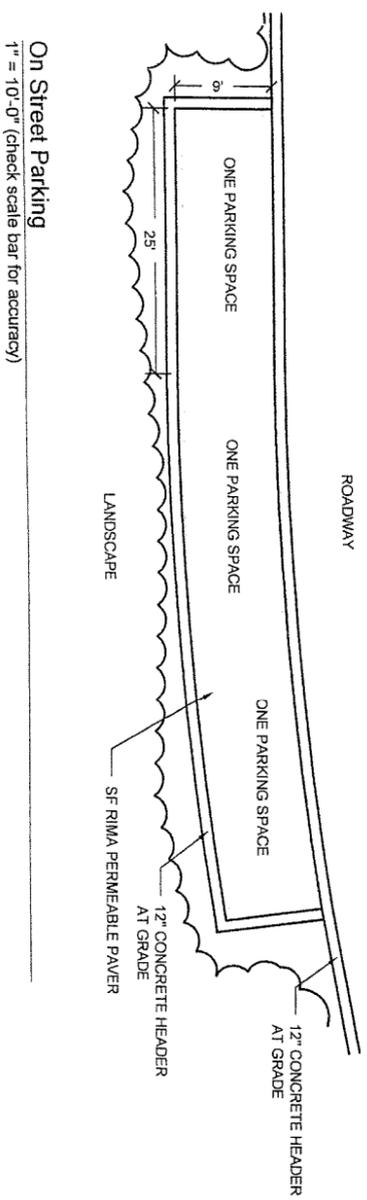
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 Surveyors & Engineers
 SURVEYING • CIVIL ENGINEERING • SUBDIVISIONS • LAND USE PLANNING • ELEVATIONS
 516 West 1st Street Sedro-Woolley, WA 98284 3601-888-2121 Fax: (360) 888-1488
 www.stagitsurveyors.com



DWG NAME: JonesEstatesBase
 JOB No.: 204046
 DATE: 01/24/2007
 SCALE: 1"=50'
 SHEET No.: 2 of 18

COMPOSITE SITE PLAN
 FOR
 Jones Estates

No.	DATE	REVISION



Jones Estates - Sedro-Woolley WA

Preliminary Landscape Construction Details

Prepared for:
 Jones Estates LLC
 PO Box 739
 Burlington, WA 98233

Prepared by:
 ecosDesign
 Landscape Architecture and Planning
 Mount Vernon, WA 99273
 P. 360.421.4894
 F. 800.508.2017

